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Part XV

Department of the
Treasury

Semiannual Regulatory Agenda

DEPARTMENT OF THE TREASURY (TREAS)

DEPARTMENT OF THE TREASURY

31 CFR Subtitle A, Chs. I and II

Semiannual Agenda

AGENCY: Department of the Treasury.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice is given pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354,

September 19, 1980) and Executive Order (E.O.) 12866 ("Regulatory Planning and Review," September 30, 1993), which require the publication by the Department of a semiannual agenda of regulations.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific entry in the agenda, contact the "Agency Contact" identified in the agenda item relating to that regulation.

SUPPLEMENTARY INFORMATION: The semiannual agenda of the Department of the Treasury conforms to the Unified Agenda format developed by the Regulatory Information Service Center (RISC).

Dated: April 10, 2002.

Richard S. Carro,

Senior Advisor to the General Counsel for Regulatory Affairs.

Departmental Offices—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2219	17 CFR 420 Amendments to the Large Position Rules	1505-AA88

Departmental Offices—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2220	31 CFR 104 Counter Money Laundering Requirements—Correspondent Accounts; Foreign Shell Banks	1505-AA87

Departmental Offices—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2221	31 CFR ch II Possible Regulation of Access to Accounts at Financial Institutions Through Payment Service Providers	1505-AA74
2222	Financial Activities of Financial Subsidiaries	1505-AA80
2223	Financial Subsidiaries	1505-AA81
2224	12 CFR 1501.2 Secretary's Determination of Real Estate Brokerage	1505-AA84
2225	12 CFR 1501.2 Secretary's Determination of Other Activities Financial in Nature	1505-AA85
2226	31 CFR 19 Common Rule Suspension and Debarment	1505-AA86

Financial Crimes Enforcement Network—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2227	31 CFR 103 Amendment to the Bank Secrecy Act Regulations—Delegation of Authority to Assess Civil Money Penalties on Depository Institutions	1506-AA08
2228	31 CFR 103.90 Financial Crimes Enforcement Network; Special Information Sharing Procedures to Deter Money Laundering and Terrorist Activity	1506-AA27

Financial Crimes Enforcement Network—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2229	31 CFR 103 Amendment to the Bank Secrecy Act Regulations Regarding Reporting of Cross-Border Transportation of Certain Monetary Instruments	1506-AA15
2230	31 CFR 103 Amendments to the Bank Secrecy Act Regulations—Suspicious Activity Reporting—Broker/Dealers ...	1506-AA21
2231	31 CFR 103 Amendments to the Bank Secrecy Act Regulations—Suspicious Activity Reporting—Casinos	1506-AA22

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Financial Crimes Enforcement Network—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2232	31 CFR 103 Amendment to the Bank Secrecy Act Regulations—Exemptions from the Requirement to Report Transactions in Currency	1506-AA23
2233	31 CFR 103.30 Amendment to the Bank Secrecy Act Regulations—Requirement that Nonfinancial Trades or Businesses Report Certain Currency Transactions	1506-AA25
2234	31 CFR 103.65 Amendments to the Bank Secrecy Act Regulations—Requirement that Financial Institutions Establish Anti-Money Laundering Programs	1506-AA28

Financial Crimes Enforcement Network—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2235	31 CFR 103 Amendments to the Bank Secrecy Act Regulations—Special Reporting and Recordkeeping Requirements—Money Services Businesses (MSBs)	1506-AA19

Financial Crimes Enforcement Network—Completed Actions

Sequence Number	Title	Regulation Identification Number
2236	31 CFR 103.20(f) Amendment to the BSA Regulations—Requirement that Money Transmitters and Money Order and Travelers Check Issuers, Sellers, and Redeemers Report Suspicious Transactions—Implementation Date	1506-AA24

Financial Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2237	31 CFR 245 Claims on Account of Treasury Checks	1510-AA51
2238	31 CFR 203 Payment of Federal Taxes and the Treasury Tax and Loan Program	1510-AA79
2239	31 CFR 206 Management of Federal Agency Receipts and Disbursements; Operation of the Cash Management Improvement Fund	1510-AA86
2240	31 CFR 215 Withholding of District of Columbia, State, City and County Income or Employment Taxes by Federal Agencies	1510-AA90

Financial Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2241	31 CFR 205 Rules and Procedures for Efficient Federal-State Funds Transfers	1510-AA38
2242	31 CFR 240 Indorsement and Payment of Checks Drawn on the United States Treasury	1510-AA45
2243	31 CFR 281 Foreign Exchange Operations	1510-AA48
2244	31 CFR 256 Payments Under Judgment and Private Relief Acts	1510-AA52
2245	31 CFR 285.5 Offset of Federal Payments (Other Than Tax Refund and Federal Benefit Payments) To Collect Past-Due, Legally Enforceable Nontax Debt	1510-AA65
2246	31 CFR 285.7 Salary Offset	1510-AA70
2247	31 CFR 285.8 Offset of Tax Refund Payment To Collect State Income Tax Obligations	1510-AA78
2248	31 CFR 210 2003 ACH Rules	1510-AA89

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Financial Management Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2249	31 CFR 285.6 Offset of Federal Payments (Other Than Tax Refund and Federal Benefit Payments) To Collect Past-Due Debts Owed to States (Other Than Child Support)	1510-AA66
2250	31 CFR 285.14 Public Dissemination of Identity of Delinquent Debtors	1510-AA72
2251	31 CFR 223 Surety Bond Reimbursement Fund	1510-AA85

Financial Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2252	31 CFR 210 Federal Government Participation in the Automated Clearinghouse	1510-AA81
2253	31 CFR 211 Delivery of Checks and Warrants to Addresses Outside the United States	1510-AA88

Bureau of Alcohol, Tobacco and Firearms—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2254	27 CFR 9 American Viticultural Areas	1512-AA07
2255	27 CFR 7 Revision of Brewery Regulations and Issuance of Regulations for Taverns on Brewery Premises (Brewpubs)	1512-AB37
2256	27 CFR 4 Prohibition of Alcohol Beverage Containers and Standard of Fill for Distilled Spirits and Wine	1512-AB89
2257	27 CFR 4 Amended Standard of Identity for Sherry	1512-AB96
2258	27 CFR 16 Alcohol Beverage Health Warning Statement	1512-AC12
2259	27 CFR 24 Production of Agricultural Wines	1512-AC48
2260	27 CFR 9 Petition to Establish the Santa Barbara Highlands Viticultural Area	1512-AC53
2261	27 CFR 9 Petition to Establish the Trinity Lake Viticultural Area	1512-AC62
2262	27 CFR 4 Correction of Technical Error in 27 CFR Part 4	1512-AC63
2263	27 CFR 4 Proposal to Recognize Synonyms for Petite Sirah and Zinfandel Grape Varieties	1512-AC65
2264	27 CFR 9 Petition to Establish "Seneca Lake" as an American Viticultural Area	1512-AC70
2265	27 CFR 9 Petition to Establish "Capay Valley" as an American Viticultural Area	1512-AC71
2266	27 CFR 9 Petition for the Establishment of "Red Hill" as an American Viticultural Area	1512-AC76
2267	27 CFR 55 Commerce in Explosives (Including Explosives in the Fireworks Industry)	1512-AB48
2268	27 CFR Part 55 Identification Markings Placed on Explosive Materials	1512-AC25
2269	27 CFR 178 Implementation of Public Law 105-277, Making Omnibus Consolidated and Emerg. Supplemental Appropriations for FY 1999, Relating to the Permanent Provisions of the Brady Handgun Violence Prevention Act	1512-AB83
2270	27 CFR 178 Implementation of P.L. 105-277 Relating to Secure Gun Storage	1512-AC67
2271	27 CFR 7 Plain Language in Part 7	1512-AC10
2272	27 CFR 44 Regulatory Changes From Customs Service Final Rule (2001R-90T)	1512-AC56

Bureau of Alcohol, Tobacco and Firearms—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2273	27 CFR 5 Labeling of Unaged Grape Brandy	1512-AB46
2274	27 CFR 19.11 Distilled Spirits Plant Regulatory Initiative Proposal	1512-AB58
2275	27 CFR 24.278 Implementation of Wine Credit Provisions of Public Law 104-188	1512-AB65
2276	27 CFR 24.66 Implementation of Public Law 105-34, Section 1416, Relating to Refund of Tax for Domestic Wine Returned to Bond Regardless of Merchantability (Taxpayer Relief Act of 1997)	1512-AB74
2277	27 CFR 4 Health Claims and Other Health Related Statements in the Labeling and Advertising of Alcohol Beverages	1512-AB97
2278	27 CFR 251 Recodification of Part 251	1512-AC27
2279	27 CFR 4 Albarino, Black Corinth and Fiano Grape Varieties	1512-AC29
2280	27 CFR 252 Delegation of Authority in 27 CFR Part 252	1512-AC44
2281	27 CFR 31 Liquor Dealers; Recodification of Regulations	1512-AC45

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Bureau of Alcohol, Tobacco and Firearms—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2282	27 CFR 31 Delegation of Authority in 27 CFR Part 31	1512-AC49
2283	27 CFR 251 Delegation of Authority in 27 CFR Part 251	1512-AC58
2284	27 CFR 178 Commerce in Firearms and Ammunition (Omnibus Consolidated Appropriations Act of 1997)	1512-AB64
2285	27 CFR 178 Residency Requirement for Persons Acquiring Firearms	1512-AB66
2286	27 CFR 55 Implementation of Public Law 104-208, the Omnibus Consolidated Appropriations Act of 1997, Relating to the Establishment of a National Repository for Arson and Explosives Information	1512-AB73
2287	27 CFR 178 Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for FY99, Relating to Firearms Disabilities for Nonimmigrant Aliens	1512-AB93
2288	27 CFR 178 Commerce in Firearms and Ammunition—Annual Inventory	1512-AC08
2289	27 CFR 275 Tobacco Products and Cigarette Papers and Tubes Shipped from Puerto Rico to the United States ...	1512-AC24
2290	27 CFR 270 Elimination of Application to Remove Tobacco Products from Manufacturer's Premises for Experimental Purposes	1512-AC32
2291	27 CFR 44 Delegation of Authority in 27 CFR Part 44	1512-AC36
2292	27 CFR 41 Importation of Tobacco Products and Cigarette Papers and Tubes; Recodification of Regulations	1512-AC46

Bureau of Alcohol, Tobacco and Firearms—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2293	27 CFR 252 Exportation of Liquors	1512-AA98
2294	27 CFR 7 Alcoholic Content Labeling for Malt Beverages	1512-AB17
2295	Sake Regulations	1512-AC09
2296	Flavored Malt Beverages	1512-AC11
2297	27 CFR 4.32(d) Removal of Requirement to Disclose Saccharin in the Labeling of Wine, Distilled Spirits and Malt Beverages	1512-AC17
2298	27 CFR 4 Proposed Addition of "Tannat" as a Grape Variety Name for American Wines	1512-AC50
2299	27 CFR 5.22 Petition to Amend the Standards of Identity for Whisky and Brandy	1512-AC51
2300	27 CFR 19, subpart W Proposed Revisions of 27 CFR Part 19	1512-AC52
2301	27 CFR 9 Proposed San Bernabe Viticultural Area	1512-AC60
2302	27 CFR 9 Petition to Establish Red Hills American Viticultural Area	1512-AC66
2303	27 CFR 9 Petition to Establish "Bennett Valley" as an American Viticultural Area	1512-AC72
2304	27 CFR 17 Taxpaid Distilled Spirits Used in Manufacturing Products Unfit for Beverage Use	1512-AC73
2305	27 CFR 9 Petition to Change the Temecula Viticultural Area's Name to Temecula Valley	1512-AC77
2306	27 CFR 19 Delegation of Authority in 27 CFR Part 19	1512-AC06
2307	27 CFR 47 Commerce in Firearms and Ammunition; Recodification of Regulations (2002R-013P)	1512-AC68
2308	27 CFR 47 Machine Guns, Destructive Devices, and Certain Other Firearms; Recodification of Regulations	1512-AC69
2309	27 CFR 70 Delegation of Authority for Part 70	1512-AC74
2310	27 CFR 275 Implementation of Public Law 105-33, Section 9302, Requiring the Qualification of Tobacco Product Importers and Miscellaneous Technical Amendments	1512-AC07
2311	27 CFR 275 Prohibited Marks on Packages of Tobacco Products and Cigarette Papers and Tubes Imported or Brought into the United States	1512-AC14
2312	27 CFR 270 Determination of Tax and Recordkeeping on Large Cigars	1512-AC22
2313	27 CFR 270 Elimination of Statistical Classes for Large Cigars	1512-AC33
2314	27 CFR 40 Delegation of Authority in 27 CFR Part 40	1512-AC54
2315	27 CFR 40 Shipments of Tobacco Products or Cigarette Papers or Tubes Without Payment of Tax.	1512-AC57
2316	27 CFR 44 Voluntary Waiver of Filing Claim for Credit, Refund, Allowance or Credit of Tax for Tobacco Products Manufactured in Canada	1512-AC64
2317	27 CFR 45 Removal of Tobacco Products and Cigarette Papers and Tubes Without Payment of Tax for Use of the United States	1512-AC75

Bureau of Alcohol, Tobacco and Firearms—Completed Actions

Sequence Number	Title	Regulation Identification Number
2318	27 CFR 20 Distribution of Denatured Alcohol and Rum	1512-AB57

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Bureau of Alcohol, Tobacco and Firearms—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2319	27 CFR 45 Delegation of Authority in 27 CFR Parts 45 and 46	1512-AC59

Bureau of Alcohol, Tobacco and Firearms—Discontinued Entries

Regulation Identification Number	Title	Date Withdrawn	Comments
1512-AB81	27 CFR 200 Balanced Budget Act of 1997, Public Law 105-33, Restriction on the Importation of Domestic Tobacco Products and Cigarette Papers and Tubes Returned to the United States	03/13/2002	Withdrawn
1512-AB90	5 CFR 1320.7(f)(2) Implementation of the Paperwork Reduction Act	03/13/2002	Withdrawn
1512-AC30	27 CFR 55 Commerce in Explosives-Sport Rocket Motors	03/13/2002	Withdrawn

Comptroller of the Currency—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2320	12 CFR 19 Uniform Rules of Practice and Procedure; Regulation Review	1557-AB43
2321	Fair Credit Reporting Regulations	1557-AB78
2322	12 CFR 5 Rules, Policies, and Procedures for Corporate Activities and Bank Activities and Operations	1557-AB97
2323	12 CFR 19 Maintenance of Records	1557-AB99
2324	12 CFR 5 Payday Lending	1557-AC01
2325	12 CFR 5 Financial Subsidiaries and Noncontrolling Investments of Federal Branches and Agencies	1557-AC02
2326	12 CFR 28 International Banking Activities	1557-AC04
2327	31 CFR 103 Identity Verification Program	1557-AC06

Comptroller of the Currency—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2328	12 CFR 3 Capital Rules	1557-AB14
2329	12 CFR 37 Debt Cancellation Contracts and Debt Suspension Agreements	1557-AB75
2330	12 CFR 7.1002 Bank Activities and Operations (Electronic Banking)	1557-AB76
2331	31 CFR 1 Notice of Exempt Privacy Act Systems of Records	1557-AB83
2332	12 CFR 25 Prohibition Against Use of Interstate Branches Primarily for Deposit Production	1557-AB95
2333	12 CFR 28.15 International Banking Activities: Capital Equivalency Deposit	1557-AC05

Comptroller of the Currency—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2334	Rules and Procedures for Claims Against OCC-Appointed Receiverships for Uninsured Financial Institutions	1557-AB59
2335	12 CFR 34 Real Estate Appraisals	1557-AB70
2336	Recordkeeping Requirements for Bank Exceptions from Securities Broker or Dealer Registration	1557-AB93
2337	12 CFR 25 Community Reinvestment Act Regulation	1557-AB98

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Comptroller of the Currency—Completed Actions

Sequence Number	Title	Regulation Identification Number
2338	12 CFR 12 Qualification Requirements for Transactions in Certain Securities	1557-AB54
2339	12 CFR 21 Minimum Security Devices and Procedures	1557-AB71
2340	12 CFR 9 Fiduciary Activities of National Banks	1557-AB79
2341	12 CFR 8 Assessment of Fees	1557-AC00

United States Customs Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2342	19 CFR 12 Textiles and Textile Products Subject to Textile Trade Agreements	1515-AB54
2343	19 CFR 159 Liquidation; Extension; Suspension	1515-AB66
2344	19 CFR 12 Detention, Seizure, and Forfeiture of "Bootleg" Sound Recording and Music Videos of Live Musical Performances	1515-AB74
2345	19 CFR 142 Reconciliation	1515-AB85
2346	19 CFR 111 Remote Location Filing	1515-AC23
2347	19 CFR 123 Simplification of In-Transit Truck Shipments Between Canada and the United States	1515-AC65
2348	19 CFR 142 Requirements for Future Customs Transactions When Payment to Customs on Prior Transactions is Delinquent and/or Dishonored	1515-AC68
2349	19 CFR 145 Customs Examination of In-Transit Mail Shipments	1515-AC71
2350	19 CFR 146 Expanded Weekly Entry Procedure for Foreign Trade Zones	1515-AC74
2351	19 CFR 24 Reimbursable Customs Inspectional Services: Increase in Hourly Rate Charge	1515-AC77
2352	19 CFR 24 User Fees	1515-AC81
2353	19 CFR 10 Prototypes Used Solely For Product Development, Testing, Evaluation or Quality Control Purposes	1515-AC88
2354	19 CFR 24 Procedures Governing the Border Release Advanced Screening and Selectivity (BRASS) Program	1515-AC92
2355	19 CFR 12 Patent Surveys	1515-AC93
2356	19 CFR 141 Single Entry for Unassembled or Disassembled Entities Imported on Multiple Conveyances	1515-AC94
2357	19 CFR 133 Civil Fines For Importation of Merchandise Bearing a Counterfeit Mark	1515-AC98
2358	19 CFR 122 Re-Use of Air Waybill Number on Air Cargo Manifest	1515-AD01
2359	19 CFR 141 Conditional Release Period and Customs Bond Obligations For Food, Drugs, Devices and Cosmetics	1515-AD05

United States Customs Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2360	19 CFR 4 Harbor Maintenance Fee	1515-AA57
2361	19 CFR 24 Donated Cargo Exemption From Harbor Maintenance Fee	1515-AA87
2362	19 CFR 181 North American Free Trade Agreement (NAFTA)—Implementation of Duty-Deferral Program Provisions	1515-AB87
2363	19 CFR 141 Customs Entry Documentation Pursuant to Anticounterfeiting Consumer Protection Act	1515-AC15
2364	19 CFR 134 Country-of-Origin Marking	1515-AC32
2365	19 CFR 24 Expanded Methods of Payment of Duties, Taxes, Interest and Fees	1515-AC40
2366	19 CFR 113 Importation and Entry Bond Conditions Regarding Other Agency Documentation Requirements	1515-AC44
2367	19 CFR 177 Administrative Rulings	1515-AC56
2368	19 CFR 4 General Order Warehouses	1515-AC57
2369	19 CFR 4 Deferral of Duty on Large Yachts Imported for Sale	1515-AC58
2370	19 CFR 10 Civil Aircraft	1515-AC59
2371	19 CFR 4 User and Navigation Fees; Other Reimbursable Charges	1515-AC63
2372	19 CFR 191 Merchandise Processing Fee Eligible to be Claimed as Unused Merchandise Drawback	1515-AC67
2373	19 CFR 10 African Growth and Opportunity Act and Generalized System of Preferences	1515-AC72
2374	19 CFR 122 Private Aircraft Programs: Establishment of the General Aviation Telephonic Entry (GATE) Program and Revisions to the Overflight Program	1515-AC73
2375	19 CFR 10 United States-Caribbean Basin Trade Partnership Act and Caribbean Basin Initiative	1515-AC76
2376	19 CFR 10 Duty-Free Treatment for Certain Beverages Made with Caribbean Rum	1515-AC78
2377	19 CFR 102 Rules of Origin for Textile and Apparel Products	1515-AC80

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United States Customs Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2378	19 CFR 24 Amended Procedure for Obtaining Refunds of Harbor Maintenance Fees Paid on Exports of Merchandise	1515-AC82
2379	19 CFR 132 Licenses for Certain Worsted Wool Fabrics Subject to Tariff-Rate Quota	1515-AC83
2380	19 CFR 10 Amendment to Wool Duty Refund Program	1515-AC85
2381	19 CFR 12 Dog and Cat Protection Act	1515-AC87
2382	19 CFR 10 Preferential Treatment of Brassieres Under the United States-Caribbean Basin Trade Partnership Act	1515-AC89
2383	19 CFR 141 Single Entry for Split Shipments	1515-AC91
2384	19 CFR 122 Passenger and Crew Manifests Required for Passenger Flights in Foreign Air Transportation to the United States	1515-AC99
2385	19 CFR 191 Manufacturing Substitution Drawback: Duty Apportionment	1515-AD02
2386	19 CFR 122 Access to Customs Security Areas at Airports	1515-AD04
2387	19 CFR 122 Passenger Name Record Information Required For Passengers On Flights In Foreign Air Transportation To Or From the United States	1515-AD06
2388	19 CFR 132 Elimination of Tariff-Rate Quota on Imported Lamb Meat	1515-AD09

United States Customs Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2389	19 CFR 12 Entry of Softwood Lumber Shipments From Canada	1515-AB97
2390	19 CFR 123 Designated Land Border Crossing Locations for Certain Conveyances	1515-AC12
2391	19 CFR 12 Entry of Softwood Lumber Shipments from Canada	1515-AC62

United States Customs Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2392	19 CFR 162 Civil Asset Forfeiture	1515-AC69
2393	19 CFR 12 Import Restrictions Imposed on Archaeological and Ethnological Materials from Bolivia	1515-AC95
2394	19 CFR 191 Drawback; Conforming Amendments	1515-AD00
2395	19 CFR 141 Andean Trade Preference Act	1515-AD03
2396	19 CFR 141 Payment of Duties on Certain Steel Products	1515-AD07
2397	19 CFR 181 North American Free Trade Agreement	1515-AD08

United States Customs Service—Discontinued Entries

Regulation Identification Number	Title	Date Withdrawn	Comments
1515-AB25	19 CFR 113 Automated Surety Interface	02/14/2002	Withdrawn
1515-AB61	19 CFR 134 Country-of-Origin Marking Requirements for Frozen Produce Packages	02/14/2002	Withdrawn
1515-AC00	19 CFR 12 Determination of the Country-of-Origin of Textiles and Textile Products	02/14/2002	Withdrawn
1515-AC13	19 CFR 103 Public Disclosure of Aircraft Manifests	02/14/2002	Withdrawn
1515-AC25	19 CFR 102 NAFTA Preference Override	02/14/2002	Withdrawn
1515-AC50	19 CFR 19 Personal-Use Limitation for Purchases at Duty-Free Stores	02/14/2002	Withdrawn

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Internal Revenue Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2398	Golden Parachute Payments	1545-AH49
2399	Foreign Insurance Company—Domestic Election	1545-AO25
2400	Intercompany Transfer Pricing for Services	1545-AR32
2401	Reporting Requirements for Widely Held Fixed Investment Trusts	1545-AU15
2402	Source Rules for Payments Made Pursuant to Certain Swap Arrangements	1545-AU89
2403	Removal of Temporary Regulations That Provide Rules for Substantiating Travel Expense Deductions for Members of Congress	1545-AV55
2404	Transportation of Persons and Property by Air—Sections 4261 and 4271	1545-AW19
2405	Estate Tax Deduction for Qualified Family-Owned Business Interests (QFOBI)	1545-AW21
2406	Capital Gain Guidance Relating to CRTs	1545-AW35
2407	Merchandise Regulation	1545-AW61
2408	Reporting of Payments to Attorney	1545-AW72
2409	Constructive Sales of Appreciated Financial Positions	1545-AW97
2410	Rules for Sourcing Certain Transportation Income, Space or Ocean Activity Income, and Related Foreign Base Company Shipping Income	1545-AX02
2411	Highway Vehicle—Definition	1545-AX10
2412	Guidance on Cost Recovery in the Entertainment Industry	1545-AX12
2413	Straddles—One Side Larger Than the Other	1545-AX16
2414	Definition of Accounting Method	1545-AX21
2415	Sections 401(k) and 410(m) Cash or Deferred Arrangements	1545-AX26
2416	Inspection of Written Determinations Under Section 6110 of the Internal Revenue Code	1545-AX40
2417	401(k) and 401(m) Regulations	1545-AX43
2418	Section 7430 Regulations	1545-AX46
2419	Section 414(q) Regulation	1545-AX48
2420	Compensation Deferred Under Eligible Section 457(b) Plans (Section 457 Regulations)	1545-AX52
2421	Modification to Section 367(a) Stock Transfer Regulations	1545-AX77
2422	Statute of Limitations on Collection Installment Agreements	1545-AX89
2423	Clarification of Foreign-Based Company Sales Income Rules	1545-AX91
2424	Assumption of Partnership Liabilities	1545-AX93
2425	Like-Kind Exchanges Under Section 168	1545-AX95
2426	Definition of Diesel Fuel	1545-AX97
2427	Guidance Necessary to Facilitate Electronic Tax Administration	1545-AY04
2428	Damages Under Section 7433	1545-AY08
2429	Investment Type Property (Prepayment)	1545-AY12
2430	Electing Mark-to-Market for Marketable Stock of a PFIC	1545-AY17
2431	Guidance on Changes to the Laws for Corporate Estimated Taxes	1545-AY22
2432	Section 1445 Regulation	1545-AY24
2433	Section 1503(d) Regulation	1545-AY27
2434	Withholding Tax on Foreign Partners' Share of Effectively Connected Income	1545-AY28
2435	Taxable Years of CFCs and FPHCs	1545-AY30
2436	IRS NPRM Guidance Under Section 6050P Regarding Information Reporting on Cancellation of Indebtedness	1545-AY35
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2438	Dollar-Value LIFO	1545-AY39
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2449	Disclosure of Returns and Return Information in Judicial and Administrative Tax Proceedings	1545-AY89
2450	Section 736(b)(3)(B)	1545-AY90
2451	Net Gift Treatment—Section 2519	1545-AY91
2452	Definition of Agent for Purposes of I.R.C. Sections 6103(1) and (m) and Safeguard Certifications	1545-AY94
2453	Termination of QSub Election	1545-AY95
2454	Regulations Under Sections 6662 and 6664 Regarding Tax Shelter Penalties	1545-AY97

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Internal Revenue Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2455	Expenditures in Connection with the Creation of Intangible Assets	1545-BA00
2456	Title—Allocation and Apportionment of Interest Expense	1545-BA02
2457	Mergers Involving Disregarded Entities	1545-BA06
2458	Notice of Significant Reduction in the Rate of Future Benefit Accrual	1545-BA08
2459	Reductions of Accruals and Allocations because of Increased Age	1545-BA10
2460	Guidance Under Section 1502 Regarding Transactions Involving Obligations of Consolidated Group Members	1545-BA11
2461	Guidance Regarding the Treatment by a Corporation of Financial Instruments Based on the Value of that Corporation's Stock	1545-BA12
2462	Deductibility of Employer Contributions for Deferred Compensation	1545-BA13
2463	Continuation of a Consolidated Group Under 1.1502-75	1545-BA14
2464	Consolidated Returns; Investment Adjustments Involving Preferred Stock	1545-BA15
2465	Counting 2100 Notices	1545-BA18
2466	Amending 301.6334-1, Property Exempt from Levy	1545-BA22
2467	Unit Livestock Pricing Method	1545-BA25
2468	Application of the Federal Insurance Contributions Act, Federal Unemployment Tax Act and Collection of Income Tax at Source to Statutory Stock Options	1545-BA26
2469	Gasoline Tax Claims Under Section 6416(A)(4)	1545-BA27
2470	Suspension of Statutes of Limitation in John Doe and Third Party Summons Disputes and Expansion of Taxpayers' Rights to Receive Notice and Seek Judicial Review of Third Party Summonses	1545-BA31
2471	Amendments to Rules for Allocation of Basis	1545-BA32
2472	Guidance Regarding Foreign Personal Holding Company Income	1545-BA33
2473	1.32-2 Earned Income Credit	1545-BA34
2474	Disclosures of Return Information to Officers and Employees of the Department of Agriculture for Certain Statistical Purposes and Related Activities	1545-BA35
2475	Income From Sources Within Specified Possession	1545-BA37
2476	Treatment of Certain Obligation-shifting Transactions	1545-BA41
2477	Information Reporting for Qualified Tuition and Related Expenses; Magnetic Media Filing Requirements for Information Returns	1545-BA43
2478	Split-Dollar Life Insurance	1545-BA44
2479	Multi-Family Housing Bonds	1545-BA45
2480	Amendment to the Definition of Refunding and Controlled Group	1545-BA46
2481	Section 419A Guidance	1545-BA47
2482	Determination of Basis of Partner's Interest; Special Rules	1545-BA50
2483	Loss Limitation Rules	1545-BA52
2484	Partnership Options	1545-BA53
2485	User Fees for Offers to Compromise	1545-BA54
2486	Compensatory Stock Options Under Section 482	1545-BA57
2487	Modification of Check the Box (Temporary)	1545-BA58
2488	Modification of Check the Box	1545-BA59
2489	Required Distributions from Retirement Plans	1545-BA60
2490	Abatement of Interest on Large Erroneous Refunds	1545-BA61
2491	Modification of Tax Shelter Rules III	1545-BA62
2492	Primary Profit Motive under Section 165(c)	1545-BA63
2493	Allocation and Apportionment Rules: Guidance on Selected Issues	1545-BA64
2494	Provisions Regarding Cross-Border Transactions	1545-BA65
2495	Modification of Tax Shelter Rules III	1545-BA66
2496	Modification of Tax Shelter Rules III (Temporary)	1545-BA67

Internal Revenue Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2497	Income Tax—Taxpayer's Obligation To File a Notice of Redetermination of Foreign Tax and Civil Penalties for Failure to File	1545-AC09
2498	Income Tax—Reciprocal Exemptions for Certain Transportation Income	1545-AJ57
2499	Regulations Under Section 367 To Reflect Section 131 of the Tax Reform Act of 1984 (Pub. L. 98-369)	1545-AK74

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Internal Revenue Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2500	Nonrecognition of Corporate Distributions and Reorganizations Under the Foreign Investment in Real Property Tax Act	1545-AK79
2501	Limitations on Passive Activity Losses and Credits—Self-Charged Items	1545-AN64
2502	Earnings Stripping Payments	1545-AO24
2503	Fringe Benefit Sourcing Under Section 861	1545-AO72
2504	Section 1.163-1(b)(2)	1545-AP33
2505	Interest-Free Adjustments	1545-AQ61
2506	Definition of “Highly Compensated Employee”	1545-AQ74
2507	Escrow Funds and Other Similar Funds	1545-AR82
2508	Mark-to-Market Upon Disposition	1545-AS85
2509	Straddles—Miscellaneous Issues	1545-AT46
2510	Treatment of Obligation-Shifting Transactions	1545-AU19
2511	Electing Small Business Trust	1545-AU76
2512	FASIT—Start-up/Operational/Transition	1545-AU94
2513	Agreements for Payment of Tax Liabilities in Installments	1545-AU97
2514	Return of Levied Property in Certain Cases	1545-AV01
2515	Regulations Under Section 1441 Regarding the Electronic Transmission of Withholding Certificates	1545-AV27
2516	Interest on Education Loans	1545-AW01
2517	Mark-to-Market Accounting for Dealers in Commodities and Traders in Securities and Commodities	1545-AW06
2518	Stocks and Securities Safe Harbor Exception	1545-AW13
2519	Election To Treat Trust as Estate—Section 645	1545-AW24
2520	Corporate Tax Shelter Registration	1545-AW26
2521	Intercompany Obligations	1545-AW30
2522	Disregarded Entities	1545-AW36
2523	Middleman Regulation Under Sections 6041 and 6045	1545-AW48
2524	Guidance Under Subpart F Relating to Certain Hybrid Transactions	1545-AW63
2525	Relief From Joint and Several Liability on Joint Return	1545-AW64
2526	Education Credits	1545-AW65
2527	Information Reporting for Payments of Interest on Education Loans	1545-AW67
2528	Modifications and Additions to the Unified Partnership Audit Procedures	1545-AW86
2529	Compromises	1545-AW88
2530	Certain Asset Transfers to Regulated Investment Companies (RICs) and Real Estate Investment Trusts (REITs) ...	1545-AW92
2531	Transfer of REMIC Residual Interest	1545-AW98
2532	Qualified Offers	1545-AW99
2533	Notice of Contact of Third Parties—Section 7602(c)	1545-AX04
2534	Allocation of Research Credit	1545-AX05
2535	Delay Rental Payments	1545-AX06
2536	Change of Annual Accounting Period	1545-AX15
2537	Coordination of Sections 755 and 1060	1545-AX18
2538	Exclusion of Gain on the Sale or Exchange of Principal Residence	1545-AX28
2539	Special Rules for Retroactive Payments Under Section 417(a)(7)(a) for Qualified Retirement Plans	1545-AX34
2540	Changes in Entity Classification: Special Rule for Certain Foreign Eligible Entities	1545-AX39
2541	Agent for the Group Under Section 1.1502-77	1545-AX56
2542	Equity Options with Flexible Terms	1545-AX66
2543	Loans Under Section 72(p)	1545-AX68
2544	Allocation and Apportionment of Interest Expense and Certain Other Expenses	1545-AX72
2545	Clarification of Entity Classification Rules Regarding Entities Classified as Corporations	1545-AX75
2546	Requirement to Maintain List of Investors in Potentially Abusive Tax Shelters	1545-AX79
2547	Tax Shelter Disclosure Statements	1545-AX81
2548	Disclosure of Return and Return Information to Designee of Taxpayer	1545-AX85
2549	Application of Separate Foreign Tax Credit Limitations	1545-AX88
2550	Determination of Basis of Partners’ Interest; Special Rules	1545-AX94
2551	Definition of Income Under Section 643	1545-AX96
2552	Constructive Transfers and Transfers of Property to Third Parties on Behalf of a Spouse	1545-AX99
2553	Regulations Governing Practice Before the Internal Revenue Service	1545-AY05
2554	“Authorized Placement Agency” Under Section 152	1545-AY18
2555	Mid-Contract Change in Taxpayer	1545-AY31
2556	HIPAA General Nondiscrimination	1545-AY32
2557	HIPAA Nondiscrimination/Exception for Church Plans	1545-AY33

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Internal Revenue Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2558	HIPAA Nondiscrimination/Bona Fide Wellness Programs	1545-AY34
2559	Guidance under Section 355(e); Recognition of Gain on Certain Distributions of Stock of Securities in Connection with an Acquisition	1545-AY42
2560	Guidance Under Subpart F Relating to Partnerships	1545-AY45
2561	Electronic Furnishing of Payee Statements	1545-AY50
2562	Disclosure of Return Information to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities	1545-AY52
2563	Guidance Under Section 1275(a)(1)(B)(ii)	1545-AY60
2564	Guidance on Reporting of Deposit Interest Paid to Nonresident Aliens	1545-AY62
2565	Section 706 and Foreign Partners	1545-AY66
2566	Tax Treatment of Cafeteria Plans	1545-AY67
2567	Notice to Interested Parties	1545-AY68
2568	Required Distributions from Retirement Plans	1545-AY69
2569	Disclosure of Returns and Return Information by Other Agencies	1545-AY77
2570	Research Credit III	1545-AY82
2571	New Market Tax Credit	1545-AY87
2572	Guidance Under IRC Section 4374	1545-AY93
2573	Conforming Amendments to Section 446	1545-BA05
2574	Consolidated Returns; Non-Applicability of Section 357(c)	1545-BA09
2575	Catch-Up Contributions for Individuals Age 50 or Over	1545-BA24
2576	Transfers of C Corporation Property to RICs or REITs	1545-BA36
2577	Withholding at Treaty Rate Exception for Taxpayer Identifying Number	1545-BA38
2578	Guidance Under Section 355(e); Recognition of Gain on Certain Distributions of Stock or Securities in Connection with an Acquisition	1545-BA55
2579	Disclosures of Return Information to Officers and Employees of the Department of Agriculture for Certain Statistical Purposes and Related Activities	1545-BA56

Internal Revenue Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2580	Income Tax—Definition of Qualified Possession Source Investment Income for Purposes of Puerto Rico and Possession Tax Credit	1545-AC10
2581	FSC Transfer Pricing Rules, Distributions, Dividends Received, Deduction, and Other Special Rules for FSC	1545-AI16
2582	Information From Passport and Immigration Applicants	1545-AJ93
2583	Foreign Insurance Companies	1545-AL82
2584	Income of Foreign Governments and International Organizations	1545-AL93
2585	Clarification of Treatment of Separate Limitation Losses	1545-AM11
2586	Computation of a Branch's Taxable Income; Taxation of Exchange Gain or Loss on Branch Remittances	1545-AM12
2587	Earnings and Profits of Controlled Foreign Corporations	1545-AM90
2588	CBI Investments of Section 936 Funds	1545-AM91
2589	Section 361 Outbound Transfers of Property to Foreign Corporations	1545-AM97
2590	Railroad Unemployment Repayment Tax	1545-AN40
2591	Consolidated Alternative Minimum Tax	1545-AN73
2592	Conforming Taxable Years of CFCs and FPHCs: 1989 Change	1545-AO22
2593	Taxation of Global Trading	1545-AP01
2594	Information Reporting and Record Maintenance Under Section 6038C	1545-AP10
2595	Charitable Contributions	1545-AP30
2596	Guidance in Notice 89-37, Which Treats the Receipt of a Corporate Partner's Stock by the Corporate Partner as a Circumvention of General Utilities Repeal	1545-AP52
2597	Use of GAAP Earnings as E&P of Foreign Corporations	1545-AQ55
2598	The Treatment of Accelerated Death Benefits Under Sections 101, 7702 and 7702A of the Internal Revenue Code	1545-AQ70
2599	Integrated Financial Transaction	1545-AR20
2600	Section 6048 Regulations	1545-AR25
2601	Applications of Section 1503(d) to Partnerships and Other Items	1545-AR26
2602	Allocation of Accrued Benefits Between Employer and Employee Contributions	1545-AT82
2603	Proposed Regulation Under Sections 882 and 884	1545-AT96

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Internal Revenue Service—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2604	Application of Grantor Trust Rules to Nonexempt Employees' Trust	1545-AU29
2605	Recomputation of Life Insurance Reserves	1545-AU49
2606	Application of Attribution Rules to Foreign Trusts	1545-AU91
2607	Definition of "Private Activity Bonds" Allocation and Accounting Regulations	1545-AU98
2608	Required Distributions From Qualified Plans and Individual Retirement Plans	1545-AV82
2609	Foreign Tax Credit Anti-abuse Regulation	1545-AV97
2610	Section 988—Contingent Debt Instrument	1545-AW33
2611	Source of Income From Certain Space and Ocean Activities and for Communications Income	1545-AW50
2612	Guaranteed Investment Contracts	1545-AX22
2613	Definition of Private Activity Bond—Refunding Regulations	1545-AX55
2614	Stock Transfer Rules: Carryover of Earnings and Taxes	1545-AX65
2615	Definition of Passive Foreign Investment Company Under Section 1297	1545-AX78
2616	HIPAA Portability	1545-AX84
2617	Capitalization of Interest and Carrying Charges Properly Allocable to Straddles	1545-AX92
2618	Hedging Transactions Under Section 1221(a)(7) and Section 446	1545-AY02
2619	Guidance Under Section 894	1545-AY13
2620	Active Conduct of an Insurance Business Under PFIC Rules	1545-AY20
2621	Disallowance of Deductions and Credits for Failure to File Timely Return	1545-AY26
2622	Section 367(d) Regulations	1545-AY41
2623	Special Rules for S Corporations Under Section 301.7701(b)-7	1545-AY44
2624	Required Distributions from Retirement Plans	1545-AY70
2625	Obligation of States and Political Subdivisions	1545-AY71
2626	Treatment of Community Income for Certain Individuals Not Filing Joint Returns	1545-AY83
2627	Section 1441 Proposed Regulation (Promulgates Notices 2000-4 and 2000-11)	1545-AY92
2628	Proposed Regulation for Procurement/Purchasing Card Reporting	1545-BA17

Internal Revenue Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2629	Effect of the Family and Medical Leave Act on the Operation of Cafeteria Plans	1545-AT47
2630	Averaging of Farm Income	1545-AW05
2631	Allocation of Loss on Disposition of Personal Property	1545-AW09
2632	Payment of Taxes by Credit Card and Debit Card	1545-AW37
2633	Conversion to the Euro	1545-AW43
2634	Notice and Opportunity for Hearing Before Levy	1545-AW90
2635	Notice and Opportunity for Hearing Upon Filing of Notice of Lien	1545-AW91
2636	Dollar-Value LIFO Regulations	1545-AX20
2637	Check the Box Regulations—Amendment	1545-AY16
2638	Disqualified Persons	1545-AY19
2639	Liabilities Assumed in Certain Corporate Transactions	1545-AY55
2640	Excise Taxes on Excess Benefit Transactions	1545-AY65
2641	Disclosure of Returns and Return Information by Other Agencies (Temporary)	1545-AY78
2642	Amendment to the Definition of Private Business Use Applicable to Tax-exempt Bonds Issued by State and Local Governments	1545-AY88
2643	Certain Property Transfer to Regulated Investment Companies (RICs) and Real Estate Investment Trusts (REITs)	1545-BA21
2644	Withholding at Treaty Rate Exception for Taxpayer Identifying Number	1545-BA39
2645	Disallowance of Deductions and Credits for Failure to File Timely Return	1545-BA40
2646	Special Form 720 Filing Rule for Eligible Air Carriers	1545-BA42
2647	Proposed Amendment to Section 6050I Cross-Referencing Section 5331 of Title 31	1545-BA48
2648	New Markets Tax Credit (Temp)	1545-BA49
2649	Loss Limitation Rules (Temp)	1545-BA51

TREAS**Internal Revenue Service—Discontinued Entries**

Regulation Identification Number	Title	Date Withdrawn	Comments
1545-AU95	Special Rules Applicable to Sales of Debt Instrument Between Record Dates and the End of Accrual Periods	02/28/2002	Withdrawn
1545-AX51	Address Correction	02/28/2002	Withdrawn
1545-AX54	Tax on Insurance Companies Other Than Life Insurance Companies	03/04/2002	Withdrawn
1545-AX86	Procurement/Purchasing Card Reporting	03/11/2002	Withdrawn
1545-AY03	Guidance Under Section 894	03/11/2002	Withdrawn
1545-AY40	Section 83-1032 Conforming Changes	01/25/2002	Withdrawn
1545-AY99	Tort Type Rights Test	12/31/2001	Withdrawn
1545-BA03	Entertainment Expenses Treated as Compensation	01/06/2002	Withdrawn
1545-BA19	Eligibility for Receiving LTC Grants	11/06/2001	Withdrawn
1545-BA20	Guidance Regarding the Active Trade or Business Requirement of Section 355(b)	12/07/2001	Withdrawn
1545-BA23	Catch-Up Contributions for Individuals Age 50 or Over (TEMP)	03/12/2002	Withdrawn
1545-BA28	Dealings Between Taxpayers and Their QBLIS	10/11/2001	Withdrawn

Office of Thrift Supervision—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2650	12 CFR 567 Capital Rules	1550-AB11

Office of Thrift Supervision—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2651	12 CFR 563b Mutual Savings Associations, Mutual Holding Company Reorganizations, and Conversions	1550-AB24
2652	12 CFR 571 Fair Credit Reporting	1550-AB33
2653	12 CFR 550 Recordkeeping and Confirmation Requirements for Securities Transactions; Fiduciary Powers of Savings Associations	1550-AB49
2654	12 CFR 560 Alternative Mortgage Transaction Parity Act; Preemption	1550-AB51

Office of Thrift Supervision—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2655	12 CFR 567 Capital: Qualifying Mortgage Loan, Interest Rate Risk Component, and Miscellaneous Changes	1550-AB45

Office of Thrift Supervision—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2656	12 CFR 545 Directors and Officers	1550-AB19
2657	12 CFR 563e Community Reinvestment Act	1550-AB48

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Office of Thrift Supervision—Completed Actions

Sequence Number	Title	Regulation Identification Number
2658	12 CFR 560 Lending and Investment	1550-AB37

Office of Thrift Supervision—Discontinued Entries

Regulation Identification Number	Title	Date Withdrawn	Comments
1550-AB25	12 CFR 590 Due-On-Sale and Usury Preemption	01/22/2002	Withdrawn
1550-AB52	12 CFR 584 Authority for Nongrandfathered Savings and Loan Holding Companies	01/22/2002	Withdrawn

Department of the Treasury (TREAS)
Departmental Offices (DO)
Proposed Rule Stage**2219. • AMENDMENTS TO THE LARGE POSITION RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 78o-5(f)**CFR Citation:** 17 CFR 420**Legal Deadline:** None

Abstract: This proposal would amend the large position recordkeeping and reporting requirements pertaining to very large positions in certain Treasury securities. The modifications will improve the information available to Treasury and other regulators.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Action	Date	FR Cite
NPRM Comment Period End	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 1505-AA88

Department of the Treasury (TREAS)
Departmental Offices (DO)
Final Rule Stage**2220. • COUNTER MONEY LAUNDERING REQUIREMENTS—CORRESPONDENT ACCOUNTS; FOREIGN SHELL BANKS****Priority:** Substantive, Nonsignificant

Legal Authority: 31 USC 5318; 31 USC 5318A; PL 107-56, sec 311; PL 107-56, sec 313; PL 107-56, sec 319; PL 107-56, sec 352

CFR Citation: 31 CFR 104**Legal Deadline:** None

Abstract: This rule implements the new provisions of the Bank Secrecy

Act, added by the USA PATRIOT Act of 2001 that: 1) prohibit certain financial institutions from providing correspondent accounts to foreign shell banks; 2) require such financial institutions to take reasonable steps to ensure that correspondent accounts provided to foreign banks are not being used to indirectly provide banking services to foreign shell banks; 3) require certain financial institutions that provide correspondent accounts to foreign banks to maintain records of the ownership of such foreign banks and their agents in the United States

designated to receive service of legal process; and 4) require the termination of correspondent accounts of foreign banks that fail to turn over their account records in response to a lawful request from the Secretary of the Treasury or the Attorney General.

Timetable:

Action	Date	FR Cite
NPRM	12/28/01	66 FR 67460
NPRM Comment Period End	02/11/02	
Final Rule	07/00/02	

TREAS—DO

Final Rule Stage

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 1505-AA87
**Department of the Treasury (TREAS)
Departmental Offices (DO)**

Long-Term Actions

**2221. POSSIBLE REGULATION OF
ACCESS TO ACCOUNTS AT
FINANCIAL INSTITUTIONS THROUGH
PAYMENT SERVICE PROVIDERS**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

CFR Citation: 31 CFR ch II**Timetable:**

Action	Date	FR Cite
ANPRM	01/08/99	64 FR 1149
ANPRM Comment Period End	04/08/99	

Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** Undetermined
Government Levels Affected: None

Agency Contact: Roger Bezdek
Phone: 202 622-1807

RIN: 1505-AA74
**2222. FINANCIAL ACTIVITIES OF
FINANCIAL SUBSIDIARIES**
Priority: Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/20/00	65 FR 14819
Interim Final Rule Effective	03/14/00	
Interim Final Rule Comment Period End	05/15/00	

Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None

Agency Contact: Gary W. Sutton
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Email: gary.sutton@do.treas.gov

RIN: 1505-AA80
2223. FINANCIAL SUBSIDIARIES
Priority: Substantive, Nonsignificant**CFR Citation:** Not Yet Determined**Timetable:** Next Action Undetermined
**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None

Agency Contact: Gary W. Sutton
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RIN: 1505-AA81
**2224. SECRETARY'S DETERMINATION
OF REAL ESTATE BROKERAGE**
Priority: Substantive, Nonsignificant**CFR Citation:** 12 CFR 1501.2**Timetable:**

Action	Date	FR Cite
NPRM	01/03/01	66 FR 307
NPRM Comment Period End	03/02/01	
NPRM Comment Period Extended	05/01/01	66 FR 12440

Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None

Agency Contact: Gary W. Sutton
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RIN: 1505-AA84
**2225. SECRETARY'S DETERMINATION
OF OTHER ACTIVITIES FINANCIAL IN
NATURE**
Priority: Substantive, Nonsignificant**CFR Citation:** 12 CFR 1501.2**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/02/01	66 FR 257
Interim Final Rule Effective	01/02/01	
Interim Final Rule Comment Period End	02/02/01	

Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None

Agency Contact: Gary W. Sutton
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RIN: 1505-AA85
**2226. COMMON RULE SUSPENSION
AND DEBARMENT**
Priority: Substantive, Nonsignificant**CFR Citation:** 31 CFR 19; 31 CFR 20**Timetable:**

Action	Date	FR Cite
NPRM	01/23/02	67 FR 3265
NPRM Comment Period End	03/25/02	

Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** No
Government Levels Affected: None

Agency Contact: Cathy Thomas
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RIN: 1505-AA86**BILLING CODE** 4810-25-S

Department of the Treasury (TREAS)
Financial Crimes Enforcement Network (FINCEN)

Proposed Rule Stage

2227. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—DELEGATION OF AUTHORITY TO ASSESS CIVIL MONEY PENALTIES ON DEPOSITORY INSTITUTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5321(e), Bank Secrecy Act

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This NPRM proposes to delegate to the appropriate Federal banking regulatory agencies, the authority to assess civil money penalties on depository institutions for violations of the Bank Secrecy Act. The regulation would prescribe the parameters of the delegated authority.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Judith R. Starr, Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
 Phone: 703 905-3590
 Fax: 703 905-3735

RIN: 1506-AA08

2228. • FINANCIAL CRIMES ENFORCEMENT NETWORK; SPECIAL INFORMATION SHARING PROCEDURES TO DETER MONEY LAUNDERING AND TERRORIST ACTIVITY

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5331; PL 107-56

CFR Citation: 31 CFR 103.90; 31 CFR 103.110

Legal Deadline: Final, Statutory, February 25, 2002, PL 107-56, sec 314.

Abstract: FinCEN, a bureau of the Treasury Department, is issuing regulations to implement the provision in the Uniting and Strengthening America by Providing Appropriate

Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 that encourages information sharing among financial institutions for purposes of identifying and reporting activity that may involve terrorist acts or money laundering activities.

Timetable:

Action	Date	FR Cite
NPRM	03/04/02	67 FR 9878
Interim Final Rule	03/04/02	67 FR 9873
NPRM Comment Period End	04/03/02	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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RIN: 1506-AA27

Department of the Treasury (TREAS)
Financial Crimes Enforcement Network (FINCEN)

Final Rule Stage

2229. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS REGARDING REPORTING OF CROSS-BORDER TRANSPORTATION OF CERTAIN MONETARY INSTRUMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5312(a)(3), Bank Secrecy Act

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This rule will require reporting of cross-border transportation of certain negotiable instruments.

Timetable:

Action	Date	FR Cite
NPRM	01/22/97	62 FR 3249
NPRM Comment Period End	04/22/97	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Judith R. Starr, Chief Counsel, Department of the Treasury,

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RIN: 1506-AA15

2230. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—SUSPICIOUS ACTIVITY REPORTING—BROKER/DEALERS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5318(g)

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This NPRM will propose to require suspicious activity reporting by broker/dealers.

Timetable:

Action	Date	FR Cite
NPRM	12/31/01	66 FR 67670
NPRM Comment Period End	03/01/02	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Judith R. Starr, Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
 Phone: 703 905-3590
 Fax: 703 905-3735

RIN: 1506-AA21

2231. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—SUSPICIOUS ACTIVITY REPORTING—CASINOS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5318(g)

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This NPRM will propose to require suspicious activity reporting by casinos.

Timetable:

Action	Date	FR Cite
NPRM	05/18/98	63 FR 27230
Final Action	12/00/02	

TREAS—FINCEN

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Judith R. Starr, Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA22
2232. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—EXEMPTIONS FROM THE REQUIREMENT TO REPORT TRANSACTIONS IN CURRENCY
Priority: Substantive, Nonsignificant**Legal Authority:** 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5330**CFR Citation:** 31 CFR 103**Legal Deadline:** None

Abstract: This document contains an interim rule that further reforms and simplifies the process by which depository institutions may exempt transactions of retail and other businesses from the requirement to report transactions in currency in excess of \$10,000. The interim rule is part of a continuing program to reduce unnecessary burdens upon financial institutions complying with the Bank Secrecy Act and increase the cost-effectiveness of the counter-money laundering policies of the Department of the Treasury.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/28/00	65 FR 46356
Interim Final Rule Effective	07/31/00	
Interim Final Rule Comment Period End	09/26/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Judith R. Starr, Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA23
2233. • AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—REQUIREMENT THAT NONFINANCIAL TRADES OR BUSINESSES REPORT CERTAIN CURRENCY TRANSACTIONS
Priority: Substantive, Nonsignificant**Legal Authority:** 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 et seq.; PL 107-56**CFR Citation:** 31 CFR 103.30**Legal Deadline:** Final, Statutory, April 26, 2002, Interim rule published 12/31/2001.

Abstract: This document contains an interim rule amending the Bank Secrecy Act regulations to require certain persons to report currency received in the course of their trade or business.

Timetable:

Action	Date	FR Cite
NPRM	12/31/01	66 FR 67685
Interim Final Rule	12/31/01	66 FR 67680
NPRM Comment Period End	03/01/02	
Final Action	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Judith R. Starr, Chief Counsel, Department of the Treasury,

Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA25
2234. • AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—REQUIREMENT THAT FINANCIAL INSTITUTIONS ESTABLISH ANTI-MONEY LAUNDERING PROGRAMS
Priority: Substantive, Nonsignificant**Legal Authority:** 31 USC 5316(h)**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67**Legal Deadline:** Final, Statutory, April 24, 2002, PL 107-56, sec 352.

Abstract: FinCEN will issue a series of regulations regarding anti-money laundering program requirements for various financial institutions, as defined in the Bank Secrecy Act (BSA).

Timetable:

Anti-Money Laundering Programs for Financial Institutions
Interim Final Rule 04/29/02 (67 FR 21110)
Anti-Money Laundering Programs for Money Services Businesses
Interim Final Rule 04/29/02 (67 FR 21114)
Anti-Money Laundering Programs for Mutual Funds
Interim Final Rule 04/29/02 (67 FR 21117)
Anti-Money Laundering Programs for Operators of a Credit Card System
Interim Final Rule 04/29/02 (67 FR 21121)

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Judith R. Starr, Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA28

Department of the Treasury (TREAS)

Long-Term Actions

Financial Crimes Enforcement Network (FINCEN)

2235. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—SPECIAL REPORTING AND RECORDKEEPING REQUIREMENTS—MONEY SERVICES BUSINESSES (MSBS)
Priority: Substantive, Nonsignificant**CFR Citation:** 31 CFR 103**Timetable:**

Action	Date	FR Cite
NPRM	05/21/97	62 FR 27909
NPRM Comment Period End	09/30/97	
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None

Agency Contact: Judith R. Starr
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA19

Department of the Treasury (TREAS)
Financial Crimes Enforcement Network (FINCEN)
Completed Actions
2236. AMENDMENT TO THE BSA REGULATIONS—REQUIREMENT THAT MONEY TRANSMITTERS AND MONEY ORDER AND TRAVELERS CHECK ISSUERS, SELLERS, AND REDEEMERS REPORT SUSPICIOUS TRANSACTIONS—IMPLEMENTATION DATE
Priority: Substantive, Nonsignificant**CFR Citation:** 31 CFR 103.20(f); 31 CFR 103.41**Completed:**

Reason	Date	FR Cite
Withdrawn	12/01/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Patrice A. Motz

Phone: 800 949-2732

RIN: 1506-AA24**BILLING CODE** 4820-02-S
Department of the Treasury (TREAS)
Financial Management Service (FMS)
Proposed Rule Stage
2237. CLAIMS ON ACCOUNT OF TREASURY CHECKS
Priority: Substantive, Nonsignificant**Legal Authority:** 31 USC 321; 31 USC 3328; 31 USC 3331; 31 USC 3343; 31 USC 3702; 31 USC 3712**CFR Citation:** 31 CFR 245**Legal Deadline:** None

Abstract: Title 31 CFR part 245 governs the issuance of replacement checks for checks drawn on the United States Treasury when: 1) the original check has been lost, stolen, destroyed or mutilated or defaced to such an extent that it is rendered non-negotiable; 2) the original check has been negotiated and paid on a forged or unauthorized indorsement; and 3) the original check has been cancelled pursuant to 31 CFR part 240. This regulation is being revised to update the regulation's definitions to make them consistent with the language of the proposed revisions to the definitions in 31 CFR part 240. Other revisions will govern the use of the Check Forgery Insurance Fund (Fund). The Fund is a revolving fund established to settle payee claims of non-receipt where the original check has been fraudulently negotiated. The Fund ensures that innocent payees, whose Treasury checks have been fraudulently cashed, receive replacement checks in a timely manner.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Ella White, Customer Liaison Specialist, Department of the Treasury, Financial Management

Service, Room 8D25, 3700 East-West Highway, Hyattsville, MD 20782
 Phone: 202 874-8445

RIN: 1510-AA51
2238. PAYMENT OF FEDERAL TAXES AND THE TREASURY TAX AND LOAN PROGRAM
Priority: Other Significant**Unfunded Mandates:** Undetermined

Legal Authority: 12 USC 90; 12 USC 265; 12 USC 266; 12 USC 321; 12 USC 323; 12 USC 332; 12 USC 391; 12 USC 1452(d); 12 USC 1464(k); 12 USC 1767; 12 USC 1789(a); 12 USC 2013; 12 USC 2122; 12 USC 3102; 12 USC 6302; 31 USC 3301 to 3304

CFR Citation: 31 CFR 203**Legal Deadline:** None

Abstract: This first rule amends the regulation to provide the Secretary greater flexibility to adjust the rate of interest charged on funds loaned through the Treasury Tax and Loan (TT&L) program. The rule also allows for a new TT&L investment option for financial institutions. This second rule includes general revisions which will provide needed updates to support operational changes to the system used for the collection of corporate withholding taxes and the investment of the Government's excess operating funds; streamline the regulation by converting to the plain language standard; and incorporate other needed updates.

Timetable:

General Revisions
 NPRM 09/00/02
 Final Action 06/00/03

Treasury Tax and Loan Rate of Interest

NPRM 07/30/99 (64 FR 41747)

NPRM Comment Period End 09/28/99

Final Action 03/15/02 (67 FR 11573)

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Walt Henderson, Senior Financial Program Specialist, Cash Management Policy and Planning Directorate, Department of the Treasury, Financial Management Service, 401 14th Street SW., Washington, DC 20227
 Phone: 202 874-6705
 Email: walt.henderson@fms.treas.gov

RIN: 1510-AA79
2239. MANAGEMENT OF FEDERAL AGENCY RECEIPTS AND DISBURSEMENTS; OPERATION OF THE CASH MANAGEMENT IMPROVEMENT FUND

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 301; 31 USC 321; 31 USC 3301; 31 USC 3302; 31 USC 3321; 31 USC 3327; 31 USC 3332; 31 USC 3335; 31 USC 3720; 31 USC 6503

CFR Citation: 31 CFR 206**Legal Deadline:** None

Abstract: This regulation governs collection and deposit regulations requiring timely methods, principally Electronic Funds Transfer (EFT), for the collection and deposit of funds as authorized by section 2652 of the Deficit Reduction Act of 1984. This regulation also incorporates revisions authorized by the Cash Management

TREAS—FMS

Proposed Rule Stage

Act of 1990 and the Cash Management Improvement Act Amendments of 1992. These revisions require executive agencies to use effective, efficient disbursement mechanisms, principally EFT, in the delivery of payments. An agency's failure to comply with this regulation may result in a charge equal to the cost of such non-compliance to the Treasury's General Fund.

Timetable:

Action	Date	FR Cite
NPRM	10/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Stephen Kenneally, Financial Program Specialist, Cash Management Policy and Planning Division, Department of the Treasury,

Financial Management Service, Room 420, 401 14th Street SW., Washington, DC 20227

Phone: 202 874-6966

Email: stephen.kenneally@fms.treas.gov

RIN: 1510-AA86

2240. • WITHHOLDING OF DISTRICT OF COLUMBIA, STATE, CITY AND COUNTY INCOME OR EMPLOYMENT TAXES BY FEDERAL AGENCIES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5516; 5 USC 5517; 5 USC 5520; EO 1197, sec 4

CFR Citation: 31 CFR 215

Legal Deadline: None

Abstract: This regulation governs the agreements entered into by the Department of the Treasury and State and local governments for the withholding of State and local income

taxes from the compensation of Federal employees.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local

Agency Contact: Stephen Kenneally, Financial Program Specialist, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 420, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-6966
Email: stephen.kenneally@fms.treas.gov

RIN: 1510-AA90

Department of the Treasury (TREAS) Financial Management Service (FMS)

Final Rule Stage

2241. RULES AND PROCEDURES FOR EFFICIENT FEDERAL-STATE FUNDS TRANSFERS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 301; 31 USC 321; 31 USC 3335; 31 USC 6501; 31 USC 6503

CFR Citation: 31 CFR 205

Legal Deadline: None

Abstract: This regulation governs the transfer of Federal assistance funds to State governments and implements the Cash Management Improvement Act of 1990, as amended. Revisions to the regulation will address concerns raised by both States and Federal agencies about intergovernmental financing. Rules and procedures for funds transfers will be revised to provide more options and greater flexibility.

Timetable:

Action	Date	FR Cite
NPRM	10/12/00	65 FR 60796
Comment Period End	01/10/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Stephen Kenneally, Financial Program Specialist, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 420, 401 14th Street SW., Washington, DC 20227

Phone: 202 874-6966

Email: stephen.kenneally@fms.treas.gov

RIN: 1510-AA38

2242. INDORSEMENT AND PAYMENT OF CHECKS DRAWN ON THE UNITED STATES TREASURY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 12 USC 391; 31 USC 321; 31 USC 3327; 31 USC 3328; 31 USC 3331; 31 USC 3334; 31 USC 3343; 31 USC 3702; 31 USC 3702 note; 31 USC 3711; 31 USC 3712; 31 USC 3716; 31 USC 3717; 318 US 363 (1943); 332 US 234 (1947)

CFR Citation: 31 CFR 240

Legal Deadline: None

Abstract: Notice of proposed rulemaking II (NPRM II) was a reissuance of NPRM I published on 9/21/95, which proposed to fix the time by which Treasury can decline

payment on Treasury checks, provide financial institutions with a date certain for final payments, and provide greater clarity by defining previously undefined terms. NPRM I also proposed that the Department of the Treasury may instruct Federal Reserve Banks to intercept benefit payment checks to deceased payees and to return, unpaid, those checks. In addition to the revisions proposed in NPRM I, NPRM II announced the Department of the Treasury's intent that this regulation supersede Federal common law regarding the risk of loss on checks containing forged disbursing officer signatures, such as counterfeits. The Interim Final Rule will amend this regulation to implement provisions of the Debt Collection Improvement Act of 1996 authorizing the collection of debts owed by presenting banks through Treasury Check Offset. NPRM III is a reissuance of NPRM II and will address, at a minimum, the issues in NPRMs I and II.

Timetable:

Action	Date	FR Cite
NPRM I	09/21/95	60 FR 48940
NPRM Comment Period End	11/06/95	
NPRM II	05/30/97	62 FR 29314
Interim Final Rule	06/00/02	
NPRM III	12/00/02	

TREAS—FMS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

Agency Contact: Lester Smalls, Manager, Reclamation Branch, Department of the Treasury, Financial Management Service, Room 700D, 3700 East-West Highway, Hyattsville, MD 20782

Phone: 202 874-7770

Email: lester.smalls@fms.treas.gov

RIN: 1510-AA45**2243. FOREIGN EXCHANGE OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 22 USC 2363; 31 USC 3513; EO 10488; EO 10900**CFR Citation:** 31 CFR 281**Legal Deadline:** None

Abstract: This regulation governs the administration of the purchase, custody, deposit, transfer, sale and reporting of foreign exchange (including credits and currencies) by executive departments and agencies. Currently, this regulation allows the purchase of foreign currency to an amount which, together with the balance on hand in the bank, may not exceed estimated requirements for a 30-day period. The revised rule allows the purchase of foreign currency to a balance "commensurate with immediate disbursing requirements."

Timetable:

Action	Date	FR Cite
NPRM	01/29/96	61 FR 2750
NPRM Comment Period End	02/28/96	
Final Action	09/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Agency Contact: Stephen Kenneally, Financial Program Specialist, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 420, 401 14th Street SW., Washington, DC 20227

Phone: 202 874-6966

Email: stephen.kenneally@fms.treas.gov

Walt Henderson, Senior Financial Program Specialist, Cash Management Policy and Planning Directorate,

Department of the Treasury, Financial Management Service, 401 14th Street SW., Washington, DC 20227

Phone: 202 874-6705

Email: walt.henderson@fms.treas.gov

RIN: 1510-AA48**2244. PAYMENTS UNDER JUDGMENT AND PRIVATE RELIEF ACTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-53; PL 104-316; 28 USC 2414; 28 USC 2517; 31 USC 1304**CFR Citation:** 31 CFR 256**Legal Deadline:** None

Abstract: This regulation governs the procedure for securing payment for money judgments against the United States. The proposed revision will update the procedure for making claims. This will benefit claimants and others in understanding the claims process. This regulation currently describes a process that involves the General Accounting Office (GAO) and the Treasury Department. The change will eliminate the GAO from this description to reflect legislative amendments that effect this change. Also, the regulation currently identifies monetary thresholds that no longer exist. The change will reflect the removal of these monetary limitations and the resulting submission requirements. These changes in the regulation will make it consistent with current practices for claimants securing money judgments against the United States.

Timetable:

Action	Date	FR Cite
NPRM	01/08/96	61 FR 552
NPRM Comment Period End	02/07/96	
Final Action	09/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

Agency Contact: Wanda Rogers, Director, Financial Accounting and Services Division, Department of the Treasury, Financial Management Service, Room 620D, 3700 East-West Highway, Hyattsville, MD 20782

Phone: 202 874-8380

Email: wanda.rogers@fms.treas.gov

RIN: 1510-AA52**2245. OFFSET OF FEDERAL PAYMENTS (OTHER THAN TAX REFUND AND FEDERAL BENEFIT PAYMENTS) TO COLLECT PAST-DUE, LEGALLY ENFORCEABLE NONTAX DEBT****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 321; 31 USC 3716**CFR Citation:** 31 CFR 285.5**Legal Deadline:** None

Abstract: This rule governs the administrative offset of Federal payments by disbursing officials of the United States.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Agency Contact: Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management Service, Room 44AB, 401 14th Street SW., Washington, DC 20227

Phone: 202 874-6660

RIN: 1510-AA65**2246. SALARY OFFSET****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5514**CFR Citation:** 31 CFR 285.7**Legal Deadline:** None

Abstract: This rule governs the centralized computer matching of Federal Employee Records for purposes of salary offset to collect nontax delinquent debt owed the Federal Government.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/28/98	63 FR 23353
Final Action	09/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Agency Contact: Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management Service, Room 44AB, 401 14th Street SW., Washington, DC 20227

Phone: 202 874-6660

RIN: 1510-AA70

TREAS—FMS

Final Rule Stage

2247. OFFSET OF TAX REFUND PAYMENT TO COLLECT STATE INCOME TAX OBLIGATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6402(e)**CFR Citation:** 31 CFR 285.8**Legal Deadline:** None**Abstract:** This rule governs the offset of Federal tax refund payments to collect delinquent State income taxes.**Timetable:**

Action	Date	FR Cite
NPRM	12/20/99	64 FR 71233
Interim Final Rule	12/20/99	64 FR 71227
Final Action	07/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Federal**Federalism:** Undetermined**Agency Contact:** Dean Balamaci, Director, Business and Agency Liaison Division, Department of the Treasury, Financial Management Service
Phone: 202 874-6660**RIN:** 1510-AA78**2248. • 2003 ACH RULES****Priority:** Other Significant**Legal Authority:** 5 USC 5525; 12 USC 391; 31 USC 321; 31 USC 3301; 31 USC 3302; 31 USC 3321; 31 USC 3332; 31 USC 3335; 31 USC 3720**CFR Citation:** 31 CFR 210**Legal Deadline:** None**Abstract:** This revision of 31 CFR part 210 will reconcile Government Automated Clearing House (ACH) regulations and private industry rules, as set forth by the National Automated Clearing House Association, by

updating the incorporation of certain industry rules into Federal law for the year 2003.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Walt Henderson, Senior Financial Program Specialist, Cash Management Policy and Planning Directorate, Department of the Treasury, Financial Management Service, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-6705
Email: walt.henderson@fms.treas.gov**RIN:** 1510-AA89**Department of the Treasury (TREAS)
Financial Management Service (FMS)**

Long-Term Actions

2249. OFFSET OF FEDERAL PAYMENTS (OTHER THAN TAX REFUND AND FEDERAL BENEFIT PAYMENTS) TO COLLECT PAST-DUE DEBTS OWED TO STATES (OTHER THAN CHILD SUPPORT)**Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 285.6**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Federalism:** Undetermined**Agency Contact:** Gerry Isenberg

Phone: 202 874-6660

RIN: 1510-AA66**2250. PUBLIC DISSEMINATION OF IDENTITY OF DELINQUENT DEBTORS****Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 285.14**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Agency Contact:** Gerry Isenberg
Phone: 202 874-6660**RIN:** 1510-AA72**2251. SURETY BOND REIMBURSEMENT FUND****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 31 CFR 223**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Wanda Rogers
Phone: 202 874-8380
Email: wanda.rogers@fms.treas.gov**RIN:** 1510-AA85**Department of the Treasury (TREAS)
Financial Management Service (FMS)**

Completed Actions

2252. FEDERAL GOVERNMENT PARTICIPATION IN THE AUTOMATED CLEARINGHOUSE**Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 210**Completed:**

Reason	Date	FR Cite
Final Action (2002 ACH Rules; Check Conversion and Internet Transactions)	04/11/02	67 FR 17896

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Walt Henderson
Phone: 202 874-6705
Email: walt.henderson@fms.treas.gov**RIN:** 1510-AA81

TREAS—FMS

Completed Actions

2253. DELIVERY OF CHECKS AND WARRANTS TO ADDRESSES OUTSIDE THE UNITED STATES**Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 211**Completed:**

Reason	Date	FR Cite
Interim Final Rule	12/10/01	66 FR 63623

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** William S. Mehr
Phone: 202 874-6932**RIN:** 1510-AA88**BILLING CODE** 4810-35-S**Department of the Treasury (TREAS)****Proposed Rule Stage****Bureau of Alcohol, Tobacco and Firearms (BATF)****ALCOHOL****2254. AMERICAN VITICULTURAL AREAS****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None**Abstract:** This rule establishes grape-growing regions as American viticultural areas for purposes of labeling and advertising of wine.**Timetable:****California Coast, CA (contact Nancy Sutton)**

NPRM 09/26/00 (65 FR 57763)

Final Action To Be Determined

Expansion of Lodi Viticultural Area (contact Nancy Sutton)

NPRM 02/07/00 (65 FR 5828)

Final Action 09/00/02

Oak Knoll District, CA (contact Joanne Brady)

NPRM 09/00/02

Rockpile AVA (Nancy Sutton)

NPRM 05/01/01 (66 FR 21707)

Final Rule 02/28/02 (67 FR 9192)

Final Rule Effective 04/29/02

Yadkin Valley (contact Tim DeVanney)

NPRM 02/07/02 (67 FR 5756)

NPRM Comment Period End 04/08/02

Final Action To Be Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** See Supplemental Timetable, American Viticultural Areas, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230**RIN:** 1512-AA07**2255. REVISION OF BREWERY REGULATIONS AND ISSUANCE OF REGULATIONS FOR TAVERNS ON BREWERY PREMISES (BREWPUBS)****Priority:** Other Significant**Legal Authority:** 26 USC 5051 to 5056; 26 USC 5401 to 5417; 27 USC 205**CFR Citation:** 27 CFR 7; 27 CFR 25**Legal Deadline:** None**Abstract:** ATF intends to streamline regulations applying to breweries. ATF will eliminate obsolete regulatory provisions. A formula system for manufactured beer products will replace statements of process attached to the brewers notice. The annual notice for small brewers to pay the reduced rate of tax will be eliminated. Separate regulations for brewpubs will be added to part 25. A section will be added to part 25 to authorize and regulate the alternating use of brewery premises by different brewers. Regulations authorizing the operation of brew-on-premises facilities will be added to part 25.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Charles N. Bacon, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 617 557-1250**RIN:** 1512-AB37**2256. PROHIBITION OF ALCOHOL BEVERAGE CONTAINERS AND STANDARD OF FILL FOR DISTILLED SPIRITS AND WINE****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4; 27 CFR 5; 27 CFR 7**Legal Deadline:** None**Abstract:** ATF proposes to amend regulations to clarify the standards of fill for distilled spirits and wine. ATF also proposes to amend regulations to prohibit certain alcohol beverage containers that are likely to mislead consumers as to the identity or character of the distilled spirits, wine, or malt beverage products or to be confused with other (nonalcohol) food products.**Timetable:**

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6486
NPRM Comment Period End	04/12/99	
Revised NPRM Aggregate Packaging	05/00/02	
Revised NPRM Deceptive Packaging	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AB89**2257. AMENDED STANDARD OF IDENTITY FOR SHERRY****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4**Legal Deadline:** None**Abstract:** ATF is considering a petition to allow certain types of wine to be labeled as "sherry" rather than "light sherry."

TREAS—BATF

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210
Email: mdruhfh@atfhq.atf.treas.gov

RIN: 1512-AB96**2258. ALCOHOL BEVERAGE HEALTH WARNING STATEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205; 27 USC 215**CFR Citation:** 27 CFR 16**Legal Deadline:** None

Abstract: ATF is considering amending the regulations concerning the placement, legibility, and noticeability of the congressionally mandated health warning statement required to appear on the labels of all containers of alcohol beverages. Based on a petition we have received, we wish to gather information by inviting comments from the public and industry as to whether the existing regulations should be revised.

Timetable:

Action	Date	FR Cite
ANPRM	05/22/01	66 FR 28135
ANPRM Comment Period End	08/20/01	
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Ficarella, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC12**2259. PRODUCTION OF AGRICULTURAL WINES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 5381; 26 USC 5382; 26 USC 5385; 26 USC 5386; 26 USC 5387**CFR Citation:** 27 CFR 24**Legal Deadline:** None

Abstract: ATF has received two petitions relating to the production of agricultural wines. One petition proposes that the wine regulations be amended to allow for the production of dried fruit wines with an alcohol by volume content of more than 14 percent. The second petition proposes that the regulations be amended to allow for the production of honey wines with a starting Brix of less than 22 degrees.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC48**2260. PETITION TO ESTABLISH THE SANTA BARBARA HIGHLANDS VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) has received a petition proposing the establishment of Santa Barbara Highlands as an American viticultural area. The proposed Santa Barbara Highlands area is located in Santa Barbara and Ventura Counties in California. The petition was submitted by Mr. Nebil Zarif, President, Barnwood Vineyards.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Tim DeVanney, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-8196

RIN: 1512-AC53**2261. PETITION TO ESTABLISH THE TRINITY LAKE VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms has received a petition from Keith Groves of Alpen Cellars proposing the establishment of a viticultural area located in Trinity County, California. The proposed Trinity Lake viticultural area consists of approximately 96,000 acres.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Tim DeVanney, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-8196

RIN: 1512-AC62**2262. CORRECTION OF TECHNICAL ERROR IN 27 CFR PART 4****Priority:** Info./Admin./Other**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is correcting a technical error in 27 CFR 4.22(b) regarding the ameliorating of non-grape wines.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

TREAS—BATF

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC63**2263. • PROPOSAL TO RECOGNIZE SYNONYMS FOR PETITE SIRAH AND ZINFANDEL GRAPE VARIETIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is proposing to amend the list of prime grape names for American wines to recognize the name “Durif” as a synonym for the Petite Sirah grape and to recognize the name “Primitivo” as a synonym for the Zinfandel grape. This is in response to the result of recent DNA research into the identity of these grape varieties.

Timetable:

Action	Date	FR Cite
NPRM	04/10/02	67 FR 17312
NPRM Comment Period End	06/10/02	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC65**2264. • PETITION TO ESTABLISH “SENECA LAKE” AS AN AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is requesting

comments from any interested parties concerning the proposed establishment of “Seneca Lake” as an American viticultural area. The proposed Seneca Lake viticultural area encompasses about 180,000 acres of land surrounding Seneca Lake in upstate New York. This area is located within the approved Finger Lakes viticultural area in the State of New York.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Kristy Colon, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-8206

RIN: 1512-AC70**2265. • PETITION TO ESTABLISH “CAPAY VALLEY” AS AN AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is requesting comments concerning the proposed establishment of “Capay Valley” as an American viticultural area. The proposed Capay Valley is located in northwestern Yolo County, California. This area is approximately 20 miles long and 5 miles wide. Approximately 25 acres are currently planted in wine grapes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Kristy Colon, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-8206

RIN: 1512-AC71**2266. • PETITION FOR THE ESTABLISHMENT OF “RED HILL” AS AN AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 205(e)**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms has received a petition proposing the establishment of “Red Hill” as an American viticultural area located within the State of Oregon. The proposed viticultural area consists of approximately 1,668 acres or 8.6 square miles.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Tim DeVanney, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-8196

RIN: 1512-AC76**EXPLOSIVES****2267. COMMERCE IN EXPLOSIVES (INCLUDING EXPLOSIVES IN THE FIREWORKS INDUSTRY)****Priority:** Other Significant

Legal Authority: 5 USC 552(a); 31 USC 9303; 31 USC 9304; 40 USC 304(k); 18 USC 847; 18 USC 921 to 930; 18 USC 1261; 19 USC 1612; 19 USC 1613; 19 USC 1618; 26 USC 7101; 26 USC 7322 to 7326; 31 USC 9301

CFR Citation: 27 CFR 55**Legal Deadline:** None

Abstract: Pursuant to section 610 of the Regulatory Flexibility Act, ATF published a notice on January 10, 1997, seeking public comments on whether it should revise its regulations, codified at 27 CFR part 55, governing Commerce in Explosives (Including Explosives in the Fireworks Industry). Based on comments received, ATF plans to initiate a rulemaking to revise these regulations in 2001.

TREAS—BATF

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
General Notice of Regulatory Review	01/10/97	62 FR 1386
NPRM	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB48

2268. IDENTIFICATION MARKINGS PLACED ON EXPLOSIVE MATERIALS

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847

CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: ATF is considering amending the regulations to require licensed importers to legibly identify by marking all imported explosive materials. Based on a petition we have received, we wish to gather information by inviting comments from the public and industry on whether the regulations should be amended.

Timetable:

Action	Date	FR Cite
ANPRM	11/03/00	65 FR 67669
ANPRM Comment Period End	01/12/01	
NPRM	11/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC25

FIREARMS

2269. IMPLEMENTATION OF PUBLIC LAW 105-277, MAKING OMNIBUS CONSOLIDATED AND EMERG. SUPPLEMENTAL APPROPRIATIONS FOR FY 1999, RELATING TO THE PERMANENT PROVISIONS OF THE BRADY HANDGUN VIOLENCE PREVENTION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: ATF will amend the regulations to implement the provision of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999, relating to the permanent provisions of the Brady Handgun Violence Prevention Act. The new law allows a licensed pawnbroker to contact the national instant criminal background check system (NICS) prior to taking or receiving a firearm in pawn. If NICS advises the pawnbroker that receipt or possession of the firearm would be in violation of the law, the licensee must advise local law enforcement within 48 hours after receipt of information.

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB83

2270. • IMPLEMENTATION OF P.L. 105-277 RELATING TO SECURE GUN STORAGE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 421 to 430; 44 USC 3504(h)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms will issue a notice of proposed rulemaking amending the regulations to implement the provisions of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999. Regulations are proposed with regard to: 1) certification by applicants for dealers' licenses that secure gun storage or safety devices will be available at any place where firearms are sold to nonlicensed individuals; and 2) an amended definition of "antique firearm," to include certain muzzle loading firearms.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

Related RIN: Related To 1512-AB93

RIN: 1512-AC67

PROCEDURAL

2271. PLAIN LANGUAGE IN PART 7

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 7

Legal Deadline: None

Abstract: This project revises regulations to plain language. The revision will make no substantive changes to the current 27 CFR part 7.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

TREAS—BATF

Proposed Rule Stage

Phone: 202 927-8210

RIN: 1512-AC10

TOBACCO PRODUCTS

2272. REGULATORY CHANGES FROM CUSTOMS SERVICE FINAL RULE (2001R-90T)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 27 CFR 44**Legal Deadline:** None**Abstract:** The temporary rule prescribes ATF regulations relating to a U.S. Customs Service (USCS) final rule (T.D. 92-181, 57 FR 37692). The

USCS published this final rule to create a separate class of customs bonded warehouses, class 9 (duty-free store). A class 9 customs bonded warehouse (duty-free store) may receive tobacco products or cigarette papers or tubes without payment of Federal excise tax. The temporary rule prescribes the regulations that allow a manufacturer of tobacco products or cigarette papers and tubes and an export warehouse proprietor to send such articles to a class 9 customs bonded warehouse. In addition, the temporary rule prescribes regulations that allow a proprietor of a customs bonded manufacturing warehouse where cigars are manufactured to send such cigars to a class 9 customs bonded warehouse. This notice of proposed rulemaking

invites comments on the temporary rule.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	
Interim Final Rule	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC56

Department of the Treasury (TREAS)

Final Rule Stage

Bureau of Alcohol, Tobacco and Firearms (BATF)

ALCOHOL

2273. LABELING OF UNAGED GRAPE BRANDY**Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 5**Legal Deadline:** None**Abstract:** ATF proposes to amend the regulations to permit the use of the word "unaged" as an alternative to "immature," to describe grape brandy that has not been stored in oak containers.**Timetable:**

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30015
NPRM Comment Period End	09/11/96	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB46

2274. DISTILLED SPIRITS PLANT REGULATORY INITIATIVE PROPOSAL**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 27 CFR 19.11; 27 CFR 19.1003; 27 CFR 19.1010; 27 CFR 19.49; 27 CFR 19.153; 27 CFR 19.201 to 206; 27 CFR 19.311; 27 CFR 19.454; 27 CFR 19.605; 27 CFR 19.770; 27 CFR 19.1001**Legal Deadline:** None**Abstract:** ATF proposes changes to the distilled spirits plant regulations to reduce the regulatory burden and streamline requirements. ATF believes these proposed changes will benefit distilled spirits plant proprietors and other industry members by enabling them to operate more easily and with less regulatory oversight from the Government. ATF is also requesting comments on the possibility of revising the distilled spirits plant recordkeeping requirements to accomplish the reinventing Government goals through a system that would be based, as much as possible, on proprietors' own recordkeeping methods.**Timetable:**

Action	Date	FR Cite
NPRM	11/30/98	63 FR 65720
NPRM Comment Period End	01/29/99	
Final Action	09/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Joanne Brady, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 215 597-5288

RIN: 1512-AB58

2275. IMPLEMENTATION OF WINE CREDIT PROVISIONS OF PUBLIC LAW 104-188**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552(a); 26 USC 5041**CFR Citation:** 27 CFR 24.278; 27 CFR 24.279**Legal Deadline:** None**Abstract:** ATF is amending wine regulations to implement a change in the law that allows certain transferees in bond to deduct the tax credit for small wine producers. Changes to bond calculations are also included in this regulation.**Timetable:**

Action	Date	FR Cite
NPRM	06/02/97	62 FR 29681
Interim Final Rule	06/02/97	62 FR 29663
NPRM Comment Period End	08/01/97	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

TREAS—BATF

Final Rule Stage

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210
Email: mdruhfa@atfhq.atf.treas.gov

RIN: 1512-AB65

2276. IMPLEMENTATION OF PUBLIC LAW 105-34, SECTION 1416, RELATING TO REFUND OF TAX FOR DOMESTIC WINE RETURNED TO BOND REGARDLESS OF MERCHANTABILITY (TAXPAYER RELIEF ACT OF 1997)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5044; 26 USC 5361; 26 USC 5367; 26 USC 5371

CFR Citation: 27 CFR 24.66; 27 CFR 24.295; 27 CFR 24.312

Legal Deadline: None

Abstract: ATF is issuing changes to the wine regulations as a result of the enactment of the Taxpayer Relief Act of 1997 and the Internal Revenue Service Reconstruction and Reform Act of 1998. This amendment informs interested parties of changes by these acts that provide for a refund of the tax for all wine returned to bond, rather than exclusively for unmerchantable or domestic wine returned to bond.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB74

2277. HEALTH CLAIMS AND OTHER HEALTH RELATED STATEMENTS IN THE LABELING AND ADVERTISING OF ALCOHOL BEVERAGES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Legal Deadline: None

Abstract: ATF proposes to amend the regulations to prohibit the appearance on labels or in advertisements of any statement that makes a substantive claim regarding health benefits associated with the consumption of alcohol beverages unless such claim is properly qualified. This notice also addresses the use of directional health-related statements and seeks comments on whether the negative consequences of alcohol consumption or abuse disqualify these products entirely from entitlement to any health-related statements.

Timetable:

Action	Date	FR Cite
NPRM	10/25/99	64 FR 57413
NPRM Comment Period End	02/22/00	
Public Hearing	02/28/00	65 FR 10434
Cancellation/Rescheduling of Hearing	04/25/00	65 FR 24158
Comment Period Extended	04/25/00	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB97

2278. RECODIFICATION OF PART 251

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 81(c); 19 USC 1202; 26 USC 5001; 26 USC 5007; 26 USC 5008; 26 USC 5041; 26 USC 5051; 26 USC 5054; 26 USC 5061; 26 USC 5111; 26 USC 5112; 26 USC 5114; 26 USC 5121; 26 USC 5122; 26 USC 5124; 26 USC 5201; 26 USC 5205; 26 USC 5207; 26 USC 5232; 26 USC 5273; 26 USC 5301; 26 USC 5313; 26 USC 5355; 26 USC 6302; 26 USC 7805; 27 USC 203; 27 USC 205; 27 USC 206; 27 USC 215; ...

CFR Citation: 27 CFR 251

Legal Deadline: None

Abstract: Part 251 will be updated and recodified. It will be reissued as 27 CFR part 27.

Timetable:

Action	Date	FR Cite
NPRM	08/05/96	61 FR 40568
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC27

2279. ALBARINO, BLACK CORINTH AND FIANO GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: ATF has received petitions proposing to add the Albarino, Black Corinth and Fiano grapes to the list of prime grape variety names for use in designating American wines.

Timetable:

Action	Date	FR Cite
NPRM	07/19/01	66 FR 37609
Final Action	05/00/02	
Final Action Effective	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC29

2280. DELEGATION OF AUTHORITY IN 27 CFR PART 252

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 252

Legal Deadline: None

TREAS—BATF

Final Rule Stage

Abstract: This final rule places most ATF authorities with the “appropriate ATF officer” and requires that persons file documents with the “appropriate ATF officer” or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC44

**2281. LIQUOR DEALERS;
RECODIFICATION OF REGULATIONS**

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 31; 27 CFR 194;
...

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to liquor dealers. The purpose of this recodification is to reissue the regulations in part 194 of title 27 of the Code of Federal Regulations (CFR) as 27 CFR part 31. This change improves the organization of title 27 CFR.

Timetable:

Action	Date	FR Cite
Final Action	09/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karl Joedicke, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-7460

RIN: 1512-AC45

**2282. DELEGATION OF AUTHORITY IN
27 CFR PART 31**

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 31

Legal Deadline: None

Abstract: This final rule places all ATF authorities contained in part 31, title 27 of the Code of Federal Regulations (CFR), with the “appropriate ATF officer” and requires that persons file documents required by 27 CFR part 31 with the “appropriate ATF officer” or in accordance with the instructions on the form. Also, this final rule removes the definitions of, and references to, specific officers subordinate to the Director.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karl Joedicke, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-7460

RIN: 1512-AC49

**2283. DELEGATION OF AUTHORITY IN
27 CFR PART 251**

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 251

Legal Deadline: None

Abstract: This final rule places most ATF authorities with the “appropriate ATF officer” and requires that persons file documents with the “appropriate ATF officer” or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco

and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC58

FIREARMS**2284. COMMERCE IN FIREARMS AND
AMMUNITION (OMNIBUS
CONSOLIDATED APPROPRIATIONS
ACT OF 1997)**

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847; 18 USC 921 to 930

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: The Omnibus Consolidated Appropriations Act of 1997 contains amendments to the Gun Control Act of 1968 (18 U.S.C. chapter 44). These amendments add to the category of “prohibited persons” anyone convicted of a “misdemeanor crime of domestic violence.” The amendments require individuals acquiring handguns from Federal firearms licensees to certify (in accordance with the Brady Law) that they have not been convicted of such a crime. The amendments also provide for sales between Federal firearms licensees of curio and relic firearms away from their licensed premises.

Timetable:

Action	Date	FR Cite
NPRM	06/30/98	63 FR 35551
Interim Final Rule	06/30/98	63 FR 35520
NPRM Comment Period End	09/28/98	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB64

**2285. RESIDENCY REQUIREMENT
FOR PERSONS ACQUIRING
FIREARMS**

Priority: Other Significant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)

TREAS—BATF

Final Rule Stage

CFR Citation: 27 CFR 178**Legal Deadline:** None

Abstract: The temporary rule amends the regulations to provide for a firearms purchaser's affirmative statement of his or her State of residence on ATF Form 4473 (Firearms Transaction Record) and ATF Form 5300.35 (Statement of Intent to Obtain a Handgun) in acquiring a firearm from a Federal firearms licensee. The temporary rule also amends the regulations to require that aliens purchasing firearms provide proof of residency through the use of substantiating documentation, such as utility bills or a lease agreement. In addition, the regulations are being amended to require that licensees examine a photo identification document from aliens purchasing firearms. These regulations implement firearms initiatives intended to protect the American public from gun violence.

Timetable:

Action	Date	FR Cite
NPRM	04/21/97	62 FR 19446
Interim Final Rule	04/21/97	62 FR 19442
NPRM Comment Period End	07/21/97	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AB66**2286. IMPLEMENTATION OF PUBLIC LAW 104-208, THE OMNIBUS CONSOLIDATED APPROPRIATIONS ACT OF 1997, RELATING TO THE ESTABLISHMENT OF A NATIONAL REPOSITORY FOR ARSON AND EXPLOSIVES INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 846(b)**CFR Citation:** 27 CFR 55**Legal Deadline:** None

Abstract: ATF will issue this notice of proposed rulemaking to implement certain provisions of Public Law 104-208, the Omnibus Consolidated Appropriations Act of 1997 (the Act), enacted September 30, 1996. The Act amended the Federal explosives laws

in 18 U.S.C. chapter 40 to require all Federal agencies to report to ATF any information involving arson or the suspected criminal misuse of explosives. The Act also authorizes ATF to establish a repository for this information. In addition, the law provides that such repository will contain information on incidents voluntarily reported to ATF by State and local authorities.

Timetable:

Action	Date	FR Cite
NPRM	11/15/01	66 FR 57404
NPRM Comment Period End	02/13/02	
Final Rule	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AB73**2287. PUBLIC LAW 105-277, MAKING OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FY99, RELATING TO FIREARMS DISABILITIES FOR NONIMMIGRANT ALIENS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)**CFR Citation:** 27 CFR 178**Legal Deadline:** None

Abstract: ATF will issue a temporary rule amending the regulations to implement the provisions of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999. The regulations implement the law by prohibiting, with certain exceptions, the transfer to and possession of firearms by aliens admitted to the United States under a nonimmigrant visa.

Timetable:

Action	Date	FR Cite
NPRM	02/05/02	67 FR 5428

Action	Date	FR Cite
Interim Final Rule	02/05/02	67 FR 5422
Comment Period End	05/06/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AB93**2288. COMMERCE IN FIREARMS AND AMMUNITION—ANNUAL INVENTORY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)**CFR Citation:** 27 CFR 178**Legal Deadline:** None

Abstract: ATF is proposing to amend the regulations to require federally licensed importers, manufacturers, and dealers of firearms to take at least one physical inventory each year. The proposed regulations also specify the circumstances under which these licensees must conduct a special physical inventory. In addition, these proposed regulations clarify who is responsible for reporting a firearm that is stolen or lost in transit between licensees.

Timetable:

Action	Date	FR Cite
NPRM	08/28/00	65 FR 52054
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Ficareta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AC08

TREAS—BATF

Final Rule Stage

TOBACCO PRODUCTS

2289. TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES SHIPPED FROM PUERTO RICO TO THE UNITED STATES**Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 5701; 27 USC 7652**CFR Citation:** 27 CFR 275**Legal Deadline:** None

Abstract: This temporary rule eliminates ATF onsite supervision of tobacco products and cigarette papers and tubes of Puerto Rican manufacture that are shipped from Puerto Rico to the United States. It also eliminates related ATF forms. This rule requires that persons who ship such articles maintain records so that the amount of tax is calculated and recorded for ATF audit and examination. Also, this temporary rule revises certain sections to simplify and clarify, and it corrects a few errors.

Timetable:

Action	Date	FR Cite
NPRM	03/08/01	66 FR 13864
NPRM Comment Period End	05/07/01	
Interim Final Rule	03/08/01	66 FR 13849
Final Action	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC24**2290. ELIMINATION OF APPLICATION TO REMOVE TOBACCO PRODUCTS FROM MANUFACTURER'S PREMISES FOR EXPERIMENTAL PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 5704**CFR Citation:** 27 CFR 40**Legal Deadline:** None

Abstract: This rule eliminates the requirement that manufacturers of tobacco products apply to ATF to remove tobacco products from their factories in bond for experimental purposes. It is replaced with the requirement to keep records.

Timetable:

Action	Date	FR Cite
NPRM	10/17/01	66 FR 52730
NPRM Comment Period End	12/17/01	
Final Rule	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC32**2291. DELEGATION OF AUTHORITY IN 27 CFR PART 44****Priority:** Info./Admin./Other**Legal Authority:** 26 USC 7805**CFR Citation:** 27 CFR 44**Legal Deadline:** None

Abstract: This final rule places most ATF authorities with the appropriate ATF officer and requires that persons file documents with the appropriate ATF officer or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
Final Action	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC36**2292. IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES; RECODIFICATION OF REGULATIONS****Priority:** Info./Admin./Other**Legal Authority:** 26 USC 7805**CFR Citation:** 27 CFR 41; 27 CFR 275**Legal Deadline:** None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is recodifying the regulations in part 275, Importation of Tobacco Products and Cigarette Papers and Tubes. The purpose of this recodification is to reissue the regulations in part 275 of title 27 of the Code of Federal Regulations (CFR) as 27 CFR part 41. This change improves the organization of title 27 CFR.

Timetable:

Action	Date	FR Cite
Final Action	09/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Nancy Sutton, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 415 947-5192

RIN: 1512-AC46

Department of the Treasury (TREAS)
Bureau of Alcohol, Tobacco and Firearms (BATF)

Long-Term Actions

ALCOHOL

2293. EXPORTATION OF LIQUORS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 252

Timetable:

Action	Date	FR Cite
ANPRM	09/08/92	57 FR 40887
ANPRM Comment Period End	10/08/92	
ANPRM Comment Period Extended	10/15/92	57 FR 47320
ANPRM Comment Period Extended End	12/07/92	
ANPRM	08/09/96	61 FR 41500
ANPRM Comment Period End	12/10/96	
NPRM	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Joanne Brady
Phone: 215 597-5288

RIN: 1512-AA98

**2294. ALCOHOLIC CONTENT
LABELING FOR MALT BEVERAGES**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 7

Timetable:

Action	Date	FR Cite
NPRM	04/19/93	58 FR 21233
Interim Final Rule	04/19/93	58 FR 21228
NPRM Comment Period End	07/19/93	
NPRM Comment Period Extended	07/19/93	58 FR 38543
NPRM Comment Period Extended End	09/17/93	
Second NPRM	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Bernard J. Kipp
Phone: 503 356-1341

RIN: 1512-AB17

2295. SAKE REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: None

Agency Contact: Bernard J. Kipp
Phone: 503 356-1341

RIN: 1512-AC09

2296. FLAVORED MALT BEVERAGES

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: None

Agency Contact: Charles N. Bacon
Phone: 617 557-1250

RIN: 1512-AC11

**2297. REMOVAL OF REQUIREMENT
TO DISCLOSE SACCHARIN IN THE
LABELING OF WINE, DISTILLED
SPIRITS AND MALT BEVERAGES**

Priority: Info./Admin./Other

CFR Citation: 27 CFR 4.32(d); 27 CFR
5.32(b)(6); 27 CFR 7.22(b)(5)

Timetable: Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf
Phone: 202 927-8210
Email: mdruhfhq@atfhq.atf.treas.gov

RIN: 1512-AC17

**2298. PROPOSED ADDITION OF
"TANNAT" AS A GRAPE VARIETY
NAME FOR AMERICAN WINES**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 4

Timetable:

Action	Date	FR Cite
NPRM	01/23/02	67 FR 3135
NPRM Comment Period End	03/25/02	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Jennifer Berry
Phone: 716 551-4048

RIN: 1512-AC50

**2299. PETITION TO AMEND THE
STANDARDS OF IDENTITY FOR
WHISKY AND BRANDY**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 5.22

Timetable: Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland
Phone: 202 927-8210

RIN: 1512-AC51

**2300. PROPOSED REVISIONS OF 27
CFR PART 19**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 19

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland
Phone: 202 927-8210

RIN: 1512-AC52

**2301. PROPOSED SAN BERNABE
VITICULTURAL AREA**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 9

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Nancy Sutton
Phone: 415 947-5192

RIN: 1512-AC60

**2302. • PETITION TO ESTABLISH RED
HILLS AMERICAN VITICULTURAL
AREA**

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: This proposed viticultural area of northern California lies within the Clear Lake viticultural area in Lake

TREAS—BATF

Long-Term Actions

County, which is entirely within the multi-county North Coast viticultural area. The area consists of approximately 31,250 acres of hilly terrain covered with rocky, volcanic soil.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 415 947-5192

RIN: 1512-AC66

2303. • PETITION TO ESTABLISH "BENNETT VALLEY" AS AN AMERICAN VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The proposed 8,100-acre viticultural area is located entirely within the North Coast viticultural area of northern California, Sonoma County, and predominantly within the Sonoma Valley viticultural area. There are small overlaps into the Sonoma Coast and Sonoma Mountain viticultural areas. The petitioned area is approximately 40 miles northeast of San Francisco and is bordered by mountains, foothills, and the City of Santa Rosa. Currently, there are 650 acres of vineyards.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 415 947-5192

RIN: 1512-AC72

2304. • TAXPAID DISTILLED SPIRITS USED IN MANUFACTURING PRODUCTS UNFIT FOR BEVERAGE USE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5010; 26 USC 5131 to 5134; 26 USC 5143; 26 USC 5206; 26 USC 5273; ...

CFR Citation: 27 CFR 17

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms (ATF) proposes to amend the regulations on taxpaid distilled spirits used to manufacture nonbeverage products to allow manufactures to use natural and artificial 1 percent solutions without having to file ATF Form 5154.1, Formula and Process for Nonbeverage Product. This proposal is part of an ongoing effort to streamline the ATF National Laboratory Center's flavor formula approval process.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Linda Wade-Chapman, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 202 927-8181

RIN: 1512-AC73

2305. • PETITION TO CHANGE THE TEMECULA VITICULTURAL AREA'S NAME TO TEMECULA VALLEY

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The proposed name change from Temecula to Temecula Valley is intended to provide a more accurate portrayal of the viticultural area, geographically and politically, and to provide clarity to wine consumers. The boundaries will not change.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms
Phone: 415 947-5192

RIN: 1512-AC77

PROCEDURAL

2306. DELEGATION OF AUTHORITY IN 27 CFR PART 19

Priority: Info./Admin./Other

CFR Citation: 27 CFR 19

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf
Phone: 202 927-8210

RIN: 1512-AC06

2307. • COMMERCE IN FIREARMS AND AMMUNITION; RECODIFICATION OF REGULATIONS (2002R-013P)

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 47; 27 CFR 50; 27 CFR 178; 27 CFR 179; 27 CFR 70

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is recodifying the regulations pertaining to commerce in firearms and ammunition. The purpose of this recodification is to reissue the regulations in part 178 of title 27, Code of Federal Regulation (27 CFR part 178) as 27 CFR part 50. This change will improve the organization of 27 CFR.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226

TREAS—BATF

Long-Term Actions

Phone: 202 927-8210

RIN: 1512-AC68

2308. • MACHINE GUNS, DESTRUCTIVE DEVICES, AND CERTAIN OTHER FIREARMS; RECODIFICATION OF REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 47; 27 CFR 51; 27 CFR 55; 27 CFR 70; 27 CFR 179;

...

Legal Deadline: None

Abstract: The Bureau of Alcohol, Tobacco and Firearms is recodifying the regulations pertaining to machine guns, destructive devices, and certain other firearms. The purpose of this recodification is to reissue the regulations in part 179 of title 27, Code of Federal Regulations (27 CFR part 179) as 27 CFR part 51. This change will improve the organization of title 27 CFR.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC69

2309. • DELEGATION OF AUTHORITY FOR PART 70

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 70

Legal Deadline: None

Abstract: This final rule references an additional ATF order, ATF Order 1130.32, for delegating certain ATF authorities contained in its Procedure and Administration regulations. ATF Order 1130.32 delegates the authority to accept or reject offers in compromise other than forfeiture to the appropriate ATF officer. A previous final rule (T.D. ATF-450, 66 FR 29021) referenced only ATF Order 1130.19. ATF Order 1130.19 delegates all other authorities in its Procedure and Administration regulations.

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC74

TOBACCO PRODUCTS**2310. IMPLEMENTATION OF PUBLIC LAW 105-33, SECTION 9302, REQUIRING THE QUALIFICATION OF TOBACCO PRODUCT IMPORTERS AND MISCELLANEOUS TECHNICAL AMENDMENTS**

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	12/22/99	64 FR 71955
Interim Final Rule	12/22/99	64 FR 71947
Interim Final Rule Effective	01/01/00	
Interim Final Rule Comment Period End	05/03/00	65 FR 17477
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf
Phone: 202 927-8210

RIN: 1512-AC07

2311. PROHIBITED MARKS ON PACKAGES OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES IMPORTED OR BROUGHT INTO THE UNITED STATES

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf
Phone: 202 927-8210

RIN: 1512-AC14

2312. DETERMINATION OF TAX AND RECORDKEEPING ON LARGE CIGARS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 270; 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf
Phone: 202 927-8210

RIN: 1512-AC22

2313. ELIMINATION OF STATISTICAL CLASSES FOR LARGE CIGARS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 40; 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf
Phone: 202 927-8210

RIN: 1512-AC33

2314. DELEGATION OF AUTHORITY IN 27 CFR PART 40

Priority: Info./Admin./Other

CFR Citation: 27 CFR 40

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert P. Ruhf
Phone: 202 927-8210

RIN: 1512-AC54

TREAS—BATF

Long-Term Actions

2315. SHIPMENTS OF TOBACCO PRODUCTS OR CIGARETTE PAPERS OR TUBES WITHOUT PAYMENT OF TAX.**Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 40; 27 CFR 275**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Robert P. Ruhf
Phone: 202 927-8210**RIN:** 1512-AC57**2316. VOLUNTARY WAIVER OF FILING CLAIM FOR CREDIT, REFUND, ALLOWANCE OR CREDIT OF TAX FOR TOBACCO PRODUCTS MANUFACTURED IN CANADA****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 44**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Robert P. Ruhf
Phone: 202 927-8210**RIN:** 1512-AC64**2317. • REMOVAL OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES WITHOUT PAYMENT OF TAX FOR USE OF THE UNITED STATES****Priority:** Info./Admin./Other**Legal Authority:** 26 USC 7805**CFR Citation:** 27 CFR 45**Legal Deadline:** None**Abstract:** This proposed rule revises, in plain language, the existing regulations relating to the removal of tobacco products and cigarette papers and

tubes, without payment of tax, for use of the United States. ATF is proposing this rule to clearly communicate the requirements of these regulations. In addition, we are liberalizing the requirements for emergency variations.

Timetable:

Action	Date	FR Cite
Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AC75

Department of the Treasury (TREAS)

Bureau of Alcohol, Tobacco and Firearms (BATF)

Completed Actions

2318. DISTRIBUTION OF DENATURED ALCOHOL AND RUM**Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 20**Completed:**

Reason	Date	FR Cite
Final Action	04/12/02	67 FR 17937

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Lisa Marie Gesser
Phone: 202 927-8210**RIN:** 1512-AB57**2319. DELEGATION OF AUTHORITY IN 27 CFR PARTS 45 AND 46****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 45; 27 CFR 46**Completed:**

Reason	Date	FR Cite
Final Action	02/27/02	67 FR 8878

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Robert P. Ruhf
Phone: 202 927-8210**RIN:** 1512-AC59

BILLING CODE 4810-31-S

Department of the Treasury (TREAS)

Comptroller of the Currency (OCC)

Proposed Rule Stage

2320. UNIFORM RULES OF PRACTICE AND PROCEDURE; REGULATION REVIEW**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 504; 12 USC 1831o; 12 USC 1972; 12 USC 3102; 12 USC 3108; 12 USC 3909; 5 USC 554 to 557; 12 USC 93a; 12 USC 93(b); 12 USC 164; 12 USC 505; 12 USC 1817; 12 USC 1818; 12 USC 1820**CFR Citation:** 12 CFR 19**Legal Deadline:** None**Abstract:** The OCC is considering what regulatory actions may be necessary to implement section 112(g)(4) of the Federal Deposit Insurance Corporation Improvement Act of 1991 to develop joint agency procedures for the suspension and debarment of accountants, upon a showing of good cause, from performing certain audit services.**Timetable:**

Action	Date	FR Cite
NPRM - Suspension and Debarment of Accountants	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative

TREAS—OCC

Proposed Rule Stage

and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090
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Email: mitchell.plave@occ.treas.gov

RIN: 1557-AB43

2321. FAIR CREDIT REPORTING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 15 USC 1681s; PL 106-102, sec 506

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The rule will address the sharing of transactional, experiential, and other consumer information among persons related by common ownership or affiliated by corporate control. Such sharing of this information constitutes an exclusion from the definition of "consumer report" under section 603(d) of the Fair Credit Reporting Act (15 U.S.C. 1681a(d)).

Timetable:

Action	Date	FR Cite
NPRM	10/20/00	65 FR 63120
NPRM Comment Period End	12/04/00	
NPRM Update	03/27/01	66 FR 16624
Second NPRM	06/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Lee Walzer, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Analysis Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090
Fax: 202 874-4889
Email: lee.walzer@occ.treas.gov

RIN: 1557-AB78

2322. RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES AND BANK ACTIVITIES AND OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 24 (Seventh); 12 USC 92a; 12 USC 93a; 12 USC 161; 12 USC 602; 12 USC 1818; 12 USC 1828(n); 12 USC 1828 note; 12 USC 1831n note; 12 USC 1831o; 12 USC 1835; 12 USC 3102; 12 USC 3108; 12 USC 3901 et seq; 12 USC 3907; 12 USC 3909; Section 5136 of

the Revised Statutes (12 USC 24a); 15 USC 78q; 15 USC 78q-1; 15 USC 78w

CFR Citation: 12 CFR 3; 12 CFR 5; 12 CFR 6; 12 CFR 7; 12 CFR 9; 12 CFR 28

Legal Deadline: None

Abstract: The OCC plans to amend part 5 to implement the authority for national banks to merge with one or more of their nonbank affiliates contained in section 1206 of the American Homeownership and Economic Opportunity Act of 2000 (AHEOA). The proposal will also amend part 5 to implement the authority in section 1204 of AHEOA by adding a new section setting forth the application and prior approval requirements for national banks contemplating reorganization as a subsidiary of a bank holding company. In addition, the OCC also plans to implement section 1205 of AHEOA by amending part 7 to permit national banks to adopt by-laws providing for staggered boards of directors and to permit national banks to apply to expand the size of their boards of directors over 25 members. The OCC also plans to make other amendments to parts 5, 7, and 9, as well as certain technical amendments to parts 3, 6, 7, and 28.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Andra Shuster, Counsel, Department of the Treasury, Comptroller of the Currency
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RIN: 1557-AB97

2323. MAINTENANCE OF RECORDS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 504; 5 USC 554 to 557; 12 USC 93a; 12 USC 93(b); 12 USC 164; 12 USC 481; 12 USC 505; 12 USC 1817; 12 USC 1818; 12 USC 1820; 12 USC 1831o; 12 USC 1867; 12 USC 1972; 12 USC 3102; 12 USC 3108(a); 12 USC 3909; 12 USC 4717; 15 USC 78(h); 15 USC 78(i); 15 USC 78o-4(c); 15 USC 78o-5; 15 USC 78q-1; 15 USC 78u; 15 USC 78-u2; 15 USC 78-u3; 15 USC 78w; 28 USC 2461 note; 31 USC 330; 31 USC 5321; 42 USC 4012a

CFR Citation: 12 CFR 19

Legal Deadline: None

Abstract: The notice of proposed rulemaking would invite comment on a rule that would add a new subpart P to 12 CFR part 19, which would require national banks, national bank affiliates, Federal branches and agencies of foreign banks, and bank service companies that perform services for, or contract with, national banks to establish and maintain accurate and complete documentation and records, and allow the OCC timely access to such records.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patrick Tierney, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090
Email: patrick.tierney@occ.treas.gov

RIN: 1557-AB99

2324. PAYDAY LENDING

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 24(Seventh); 12 USC 93a; 12 USC 1818; 12 USC 1861 to 1867

CFR Citation: 12 CFR 5; 12 CFR 32

Legal Deadline: None

Abstract: The OCC is considering amending 12 CFR part 5 and 12 CFR part 32 to address payday lending activities engaged in by national banks through arrangements with third-party

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lending companies. The purpose of this rulemaking would be to adopt provisions intended to ensure that payday lending is conducted in a manner that is consistent with safe and sound banking practices.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090
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Email: mitchell.plave@occ.treas.gov

RIN: 1557-AC01**2325. • FINANCIAL SUBSIDIARIES AND NONCONTROLLING INVESTMENTS OF FEDERAL BRANCHES AND AGENCIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1 et seq; 12 USC 24a; 12 USC 24 (Seventh); 12 USC 93a, 12 USC 3101 et seq**CFR Citation:** 12 CFR 5**Legal Deadline:** None

Abstract: The OCC proposes to clarify that a Federal branch or agency may establish, acquire, or maintain a qualified subsidiary company in generally the same manner that a national bank may establish and operate a financial subsidiary if certain conditions are satisfied.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

Agency Contact: Martha Vestal Clarke, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities, Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090

RIN: 1557-AC02**2326. • INTERNATIONAL BANKING ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1 et seq; 12 USC 24 (Seventh); 12 USC 93a; 12 USC 161; 12 USC 602; 12 USC 1818; 12 USC 3101 et seq; 12 USC 3901 et seq**CFR Citation:** 12 CFR 28**Legal Deadline:** None

Abstract: The OCC plans to issue a notice of proposed rulemaking to clarify or revise a number of application or notice procedures, including the standards for approval that would apply. In addition, the OCC plans to implement a number of OCC interpretations regarding the capital equivalency deposit required of Federal branch and agencies. Finally, the OCC plans to revise several definitions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Martha Vestal Clarke, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities, Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090

RIN: 1557-AC04**2327. • IDENTITY VERIFICATION PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 31 USC 5318(l)**CFR Citation:** 31 CFR 103

Legal Deadline: Final, Statutory, October 26, 2002, Must take effect one year before date of enactment of USA Patriot Act.

Abstract: The Secretary of the Treasury, the OCC, the Board of Governors of the Federal Reserve System, the FDIC, the Office of Thrift Supervision, and the National Credit Union Administration (the Agencies) plan to issue a regulation implementing section 326 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001. Section 326 requires a regulation that contains minimum standards that financial institutions must implement: 1) to verify the identity of any person seeking to open an account; 2) to maintain records of the information used to verify the person's identity; and 3) to determine whether the person appears on any lists of known or suspected terrorists or terrorist organizations provided to the financial institution by any Government agency.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Deborah Katz, Senior Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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Email: deborah.katz@occ.treas.gov

RIN: 1557-AC06
Department of the Treasury (TREAS)
Comptroller of the Currency (OCC)

Final Rule Stage

2328. CAPITAL RULES**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 161; 12 USC 1828 note; 12 USC

1828(n); 12 USC 1831n note; 12 USC 1835; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 3**Legal Deadline:** None

Abstract: As part of the OCC's ongoing efforts to develop and refine capital standards to ensure the safety and soundness of the national banking system and to implement statutory

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Final Rule Stage

requirements, the OCC is amending various provisions of the capital rules for national banks. Specifically, these changes include: 1) claims on securities firms; 2) domestic capital framework (formerly referred to as bifurcated capital for complex and noncomplex banks); 3) securities borrowing transactions; and 4) managed assets. The OCC is conducting all of these rulemakings jointly with the other Federal banking agencies.

Timetable:**Claims on Securities Firms**

NPRM 12/06/00 (65 FR 76180)
NPRM Comment Period End 01/22/01
Final Rule 04/09/02 (67 FR 16971)
Final Rule Effective 07/01/02

Domestic Capital Framework (formerly Bifurcated Capital for Complex and Noncomplex Banks)

ANPRM 11/03/00 (65 FR 66193)
ANPRM Comment Period End 02/01/01
NPRM 12/00/02

Managed Assets

ANPRM 09/00/02

Securities Borrowing Transactions

Interim Final Rule 12/05/00 (65 FR 75856)
Interim Final Rule Comment Period End 01/19/01
Final Rule 12/00/02

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Ron Shimabukuro, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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Laura Goldman, Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB14

2329. DEBT CANCELLATION CONTRACTS AND DEBT SUSPENSION AGREEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 24(Seventh); 12 USC 93a

CFR Citation: 12 CFR 37

Legal Deadline: None

Abstract: The OCC issued a notice of proposed rulemaking governing the offering of debt cancellation contracts and debt suspension agreements. The purposes of the customer protections are to facilitate customers' informed choice about whether to purchase debt cancellation contracts and debt suspension agreements, based on an understanding of the costs, benefits, and limitations of the products, and to discourage inappropriate or abusive practices.

Timetable:

Action	Date	FR Cite
ANPRM	01/26/00	65 FR 4176
ANPRM Comment Period End	03/27/00	
NPRM	04/18/01	66 FR 19901
NPRM Comment Period End	06/18/01	
Final Rule	06/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Jean Campbell, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB75

2330. BANK ACTIVITIES AND OPERATIONS (ELECTRONIC BANKING)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 93a

CFR Citation: 12 CFR 7.1002; 12 CFR 7.1019; 12 CFR 7.5000 to 7.5010

Legal Deadline: None

Abstract: The OCC issued a notice of proposed rulemaking that addressed ways to facilitate national banks' efforts to engage in various forms of electronic banking consistent with safety and soundness. The proposal addresses national banks' exercise of their Federally authorized powers through electronic means; the applicability of state law to the exercise of those powers; the location of a national bank that engages in electronic activities; and the disclosures required when a

national bank provides its customers with access to other service providers through hyperlinks in the bank's web site or other shared electronic space.

Timetable:

Action	Date	FR Cite
ANPRM	02/02/00	65 FR 4895
ANPRM Comment Period End	04/03/00	
NPRM	07/02/01	66 FR 34855
NPRM Comment Period End	08/31/01	
Final Rule	06/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Heidi M. Thomas, Special Counsel, Department of the Treasury, Comptroller of the Currency, 250 E Street SW, Washington, DC 20219

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RIN: 1557-AB76

2331. NOTICE OF EXEMPT PRIVACY ACT SYSTEMS OF RECORDS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 5 USC 321; 5 USC 552; 5 USC 552a

CFR Citation: 31 CFR 1

Legal Deadline: None

Abstract: The OCC, with the concurrence of the Department of the Treasury, is issuing a notice of proposed rulemaking to amend the Treasury Regulation that sets forth the systems of records maintained by Treasury Department agencies and bureaus that are exempt from certain provisions of the Privacy Act of 1974 (Privacy Act). The OCC is amending this regulation to update and expand the list of its systems of records that are exempt from certain provisions of the Privacy Act and to clarify the bases for these exemptions.

Timetable:

Action	Date	FR Cite
NPRM	10/26/01	66 FR 54175
NPRM Comment Period End	11/26/01	
Final Rule	06/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

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Government Levels Affected: None

Agency Contact: Harold J. Hansen, Assistant Director, Department of the Treasury, Comptroller of the Currency, Administrative and Internal Law Division, 250 E Street SW, Washington, DC 20219

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Fax: 202 874-4555

Email: harold.hansen@occ.treas.gov

RIN: 1557-AB83

2332. PROHIBITION AGAINST USE OF INTERSTATE BRANCHES PRIMARILY FOR DEPOSIT PRODUCTION

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 21; 12 USC 22; 12 USC 26; 12 USC 27; 12 USC 30; 12 USC 36; 12 USC 93a; 12 USC 161; 12 USC 215; 12 USC 215a; 12 USC 481; 12 USC 1814; 12 USC 1816; 12 USC 1828(c); 12 USC 1835a; 12 USC 2901 through 2907; 12 USC 3101 through 3111

CFR Citation: 12 CFR 25

Legal Deadline: None

Abstract: The notice of proposed rulemaking invited comment on a rule that would amend regulations implementing section 109 of the Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994 to effectuate the amendment of section 109 of the Gramm-Leach-Bliley Act of 1999. Section 109 prohibits a bank from establishing or acquiring a branch or branches outside of its home state for

the purpose of deposit production. Additionally, section 109 contains guidelines for determining whether a bank is reasonably helping to meet the credit needs of communities served by an out-of-state branch or branches. The proposed rule amends the section 109 deposit production prohibition to include any bank or branch controlled by an out-of-state bank holding company, including a bank consisting only of a main office.

Timetable:

Action	Date	FR Cite
NPRM	04/09/01	66 FR 18411
NPRM Comment Period End	06/08/01	
Final Rule	05/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Patrick Tierney, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219

Phone: 202 874-5090

Email: patrick.tierney@occ.treas.gov

RIN: 1557-AB95

2333. • INTERNATIONAL BANKING ACTIVITIES: CAPITAL EQUIVALENCY DEPOSIT

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 24 (Seventh); 12 USC 93a; 12 USC

161; 12 USC 602; 12 USC 1818; 12 USC 3101 et seq; 12 USC 3901 et seq

CFR Citation: 12 CFR 28.15

Legal Deadline: None

Abstract: The OCC plans to issue an interim rule with request for comment that would be effective immediately upon publication. Specifically, the OCC would revise some of the requirements and prohibitions relating to the capital equivalency deposit that a foreign bank must establish and maintain for its Federal branch or agency.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/30/02	67 FR 4325
Interim Final Rule Effective	01/30/02	
Interim Final Rule Comment Period End	04/01/02	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Martha Vestal Clarke, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities, Division, 250 E Street SW, Washington, DC 20219

Phone: 202 874-5090

RIN: 1557-AC05

**Department of the Treasury (TREAS)
Comptroller of the Currency (OCC)**

Long-Term Actions

2334. RULES AND PROCEDURES FOR CLAIMS AGAINST OCC-APPOINTED RECEIVERSHIPS FOR UNINSURED FINANCIAL INSTITUTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 192; 12 USC 206; 12 USC 3108

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This regulation will establish rules and procedures for processing claims against receivers for uninsured Federal institutions that are chartered by the OCC.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219

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RIN: 1557-AB59

2335. REAL ESTATE APPRAISALS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 3331 et seq

CFR Citation: 12 CFR 34

Legal Deadline: None

Abstract: This rulemaking would amend the OCC's appraisal regulation to exempt transactions involving mortgage-backed securities (MBS) from its principal appraisal requirements.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

TREAS—OCC

Long-Term Actions

Government Levels Affected: None

Agency Contact: Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557–AB70

2336. RECORDKEEPING REQUIREMENTS FOR BANK EXCEPTIONS FROM SECURITIES BROKER OR DEALER REGISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 1828(t)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This notice of proposed rulemaking will seek comment on recordkeeping requirements for banks relying on exceptions to the definitions of broker or dealer in paragraphs (4) and (5) of section 3(a) of the Securities Exchange Act of 1934.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Deborah Katz, Senior Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557–AB93

2337. COMMUNITY REINVESTMENT ACT REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 21; 12 USC 22; 12 USC 26; 12 USC 27; 12 USC 30; 12 USC 36; 12 USC 93a; 12 USC 161; 12 USC 215; 12 USC 215a; 12 USC 481; 12 USC 1814; 12 USC 1816; 12 USC 1828(c); 12 USC 1835a; 12 USC 2901 to 2907; 12 USC 3101 to 3111

CFR Citation: 12 CFR 25

Legal Deadline: None

Abstract: The OCC, in conjunction with the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision (the agencies), has issued an advance notice of proposed rulemaking to solicit

comment on the agencies' existing Community Reinvestment Act (CRA) regulations. The agencies are conducting a review of their CRA regulations to determine their effectiveness in achieving their goals.

Timetable:

Action	Date	FR Cite
ANPRM	07/19/01	66 FR 37602
ANPRM Comment Period End	10/17/01	
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Margaret Hesse, Special Counsel, Department of the Treasury, Comptroller of the Currency, Community and Consumer Law Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5750
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Patrick Tierney, Attorney, Department of the Treasury, Comptroller of the Currency
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RIN: 1557–AB98

Department of the Treasury (TREAS) Comptroller of the Currency (OCC)

Completed Actions

2338. QUALIFICATION REQUIREMENTS FOR TRANSACTIONS IN CERTAIN SECURITIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 1818; 12 USC 1831p-1

CFR Citation: 12 CFR 12

Legal Deadline: None

Abstract: The regulation will require bank employees to meet certain qualification standards before selling nondeposit investment products in a bank.

Timetable:

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68823
Withdrawn	03/16/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mark J. Tenhundfeld, Assistant Director, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557–AB54

2339. MINIMUM SECURITY DEVICES AND PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 1882

CFR Citation: 12 CFR 21

Legal Deadline: None

Abstract: The OCC is considering a rulemaking that would amend the OCC's Minimum Security Devices and Procedures regulation to address recent changes made to the definition of the term "branch" in the National Bank Act by the Economic Growth and Paperwork Reduction Act of 1996 (EGRPRA). This amendment would clarify that the regulation applies to automated teller machines (ATMs) and remote service units (RSUs).

Timetable:

Action	Date	FR Cite
Withdrawn	03/15/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Patrick Tierney, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative

TREAS—OCC

Completed Actions

and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090
Email: patrick.tierney@occ.treas.gov
RIN: 1557-AB71

2340. FIDUCIARY ACTIVITIES OF NATIONAL BANKS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq.; 12 USC 24 (Seventh); 12 USC 24a; 12 USC 92; 12 USC 92a(b); 12 USC 93a; 15 USC 78q; 15 USC 78q-1; 15 USC 78w

CFR Citation: 12 CFR 5; 12 CFR 9

Legal Deadline: None

Abstract: The OCC issued an advance notice of proposed rulemaking (ANPRM) that would amend 12 CFR part 9. The ANPRM solicited comments on the standards of care generally applicable to the exercise of national bank fiduciary powers authorized by 12 U.S.C. 92a and part 9.

Timetable:

Action	Date	FR Cite
ANPRM	12/05/00	65 FR 75872

Action	Date	FR Cite
ANPRM Comment	02/05/01	
Period End		
Withdrawn	03/18/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Andra Shuster, Counsel, Department of the Treasury, Comptroller of the Currency
Phone: 202 874-5090
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Email: andra.shuster@occ.treas.gov
RIN: 1557-AB79

2341. ASSESSMENT OF FEES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 481; 12 USC 482; 12 USC 1867; 12 USC 3102; 12 USC 3108; 15 USC 78c; 15 USC 781; 26 DC Code

CFR Citation: 12 CFR 8

Legal Deadline: None

Abstract: The OCC issued a notice of proposed rulemaking that would amend 12 CFR part 8 to permit the charging of a minimum assessment on all national banks, regardless of asset size.

Timetable:

Action	Date	FR Cite
NPRM	09/25/01	66 FR 48983
NPRM Comment	10/25/01	
Period End		
Final Rule	11/16/01	66 FR 57645
Final Rule Effective	12/31/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Michele Meyer, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW.
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RIN: 1557-AC00
BILLING CODE 4810-33-S

Department of the Treasury (TREAS)

Proposed Rule Stage

United States Customs Service (CUSTOMS)

2342. TEXTILES AND TEXTILE PRODUCTS SUBJECT TO TEXTILE TRADE AGREEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 7 USC 1854

CFR Citation: 19 CFR 12

Legal Deadline: None

Abstract: Amendment to the country of origin standards and documentary requirements applicable to textiles and textile products subject to section 204 of the Agricultural Act of 1956. Amendment involves simplification of regulatory text, has no substantive effect on the U.S. textile import program as administered by Customs, and is intended to ensure that the wording of the Customs Regulations is consistent with the product coverage of section 204.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dick Crichton, Operations Officer, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0162
RIN: 1515-AB54

2343. LIQUIDATION; EXTENSION; SUSPENSION

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1500; 19 USC 1504; 19 USC 1624

CFR Citation: 19 CFR 159

Legal Deadline: None

Abstract: Document would amend the Customs Regulations to implement amendments to section 504 of the Tariff Act of 1930, as amended, which pertains to limitations on the liquidation of entries that were

contained in the Customs Modernization provisions of the North American Free Trade Agreement Implementation Act. Amendments would allow the reconciliation of entries to be treated as if they were entry summaries, subject to normal liquidation requirements; authorize the electronic transmittal of notices of extension and suspension of liquidation; extend the time period in which Customs must liquidate a suspended entry after the suspension is removed; remove the application of the four-year limitation to suspended entries; and provide that Customs must also inform sureties when an entry is suspended or extended.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination

TREAS—CUSTOMS

Proposed Rule Stage

Branch, Department of the Treasury,
United States Customs Service, Office
of Regulations and Rulings, 1300
Pennsylvania Avenue NW.,
Washington, DC 20229
Phone: 202 927-2077

RIN: 1515–AB66

2344. DETENTION, SEIZURE, AND FORFEITURE OF “BOOTLEG” SOUND RECORDING AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 17 USC 602; 17 USC 603; 31 USC 9701; 19 USC 66; 19 USC 1202; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 17 USC 101; 17 USC 601

CFR Citation: 19 CFR 12; 19 CFR 24; 19 CFR 133

Legal Deadline: None

Abstract: Amendment to provide for the detention, seizure, and forfeiture of unauthorized (bootleg) copies of sound recordings and music videos of live musical performances recorded outside of and imported into the United States, as provided by section 513(a) of the Uruguay Round Agreements Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: George F. McCray, Attorney, Intellectual Property Rights Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2387

RIN: 1515–AB74

2345. RECONCILIATION

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1484; 19 USC 1500; 19 USC 1624

CFR Citation: 19 CFR 142; 19 CFR 159

Legal Deadline: None

Abstract: Amendment to allow those elements of an entry, other than those elements relating to the admissibility of the merchandise, that are undetermined at the time an entry summary or an import activity summary is required to

be submitted, to be provided to Customs at a later date.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: John Durant, Director, Commercial Rulings Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2244

RIN: 1515–AB85

2346. REMOTE LOCATION FILING

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1484; 19 USC 1624; 19 USC 1641

CFR Citation: 19 CFR 111; 19 CFR 113; 19 CFR 141; 19 CFR 143

Legal Deadline: None

Abstract: Amendment to allow entry filers to electronically file entries of merchandise with Customs from locations within the United States other than at the port of arrival of the merchandise or the location of examination of the merchandise.

Timetable:

Action	Date	FR Cite
NPRM	10/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Millie Gleason, Chief, Summary Management, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0625

RIN: 1515–AC23

2347. SIMPLIFICATION OF IN-TRANSIT TRUCK SHIPMENTS BETWEEN CANADA AND THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1431; 19 USC 1433; 19 USC 1436; 19 USC 1448; 19 USC 1553; 19 USC 1624

CFR Citation: 19 CFR 123

Legal Deadline: None

Abstract: Amendment to simplify reporting procedures for the in-transit movement of truck shipments between Canada and the United States. Amendment is designed to reduce traffic congestion along the northern border by reducing the number of reporting stops.

Timetable:

Action	Date	FR Cite
NPRM	10/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Raymond Janiszewski, Supervisory Import Specialist, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0365

Walter Lechowski, Assistant Director, Operations, Department of the Treasury, United States Customs Service, Building 10, East Great Lakes CMC, 4455 Genesee Street, Buffalo, NY 14225
Phone: 716 626-0400

RIN: 1515–AC65

2348. REQUIREMENTS FOR FUTURE CUSTOMS TRANSACTIONS WHEN PAYMENT TO CUSTOMS ON PRIOR TRANSACTIONS IS DELINQUENT AND/OR DISHONORED

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624; 5 USC 301; 19 USC 1505

CFR Citation: 19 CFR 142; 19 CFR 24

Legal Deadline: None

Abstract: Amendment concerning how Customs will handle the future transactions of importers or other parties financially obligated to Customs who are delinquent in a payment to Customs or have had payments to the agency returned as dishonored by their financial institution. Amendment provides, among other things, that where an importer or other party financially obligated to Customs (“debtor”) has not paid monies owed to Customs by the due date in a Customs bill or collection notice,

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including a bill or collection notice requesting payment of an amount owed to Customs that has been returned as dishonored by the debtor's financial institution, Customs may require the debtor to file entry summary documentation at the time of entry with estimated duties, taxes and fees attached (to make "live entry"). This requirement will be imposed on all the debtor's future importations at all ports of entry until Customs receives full payment of the debtor's overdue amount, including accrued interest, or until the debt has been resolved other than by Customs termination of the collection action. Amendment also concerns when Customs will require all future payments be made by certified check, money order, cash, or if authorized, by Automated Clearinghouse credit payment. Amendments are necessary to support Customs collection efforts and to ensure a uniform and consistent approach in the manner by which Customs responds to delinquent and dishonored payments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Robert Reiley, Financial Officer, Financial Management Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1504

RIN: 1515-AC68

2349. CUSTOMS EXAMINATION OF IN-TRANSIT MAIL SHIPMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1624

CFR Citation: 19 CFR 145

Legal Deadline: None

Abstract: Amendment to provide that Customs has the authority to examine and search international mail without regard as to whether it is transiting the United States or the U.S. Virgin Islands, or is being delivered within the Customs territory of the United States or the U.S. Virgin Islands.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Glen E. Vereb, Senior Attorney, Entry Procedures and Carriers Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1327

RIN: 1515-AC71

2350. EXPANDED WEEKLY ENTRY PROCEDURE FOR FOREIGN TRADE ZONES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 81a to 81u; 19 USC 1202; 19 USC 1484i; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 146

Legal Deadline: None

Abstract: Amendment in conformance with the Trade and Development Act of 2000 to expand the weekly entry procedure for foreign trade zones to include merchandise involved in activities other than exclusively assembly-line production operations. Under the expanded weekly procedure, weekly entries covering estimated removals of merchandise from a foreign trade zone for any seven-day period and the associated entry summaries will have to be filed exclusively through the Automated Broker Interface, with duties, fees and taxes being scheduled for payment through the Automated Clearinghouse.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Bruce Ingalls, Chief, Entry and Drawback Management, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1082

RIN: 1515-AC74

2351. REIMBURSABLE CUSTOMS INSPECTIONAL SERVICES: INCREASE IN HOURLY RATE CHARGE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 5 USC 6103; 19 USC 58a to 58c; 19 USC 66; 19 USC 261; 19 USC 267; 19 USC 1202; 19 USC 1450 to 1452; 19 USC 1456; 19 USC 1505; 19 USC 1557; 19 USC 1562; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701; 46 USC 2110 to 2112

CFR Citation: 19 CFR 24; 19 CFR 101

Legal Deadline: None

Abstract: Amendment to increase the rate of charge for reimbursable Customs inspectional services.

Timetable:

Action	Date	FR Cite
NPRM	02/01/01	66 FR 8554
NPRM Comment Period End	04/02/01	
Second NPRM	07/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Dennis Lomax, Accountant, Department of the Treasury, United States Customs Service, Accounting Services Division, Office of Finance, Indianapolis, IN 46278
Phone: 317 298-1200

RIN: 1515-AC77

2352. USER FEES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a to 58c; 19 USC 66; 19 USC 1202; 19 USC 1505; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701

CFR Citation: 19 CFR 24; 19 CFR 111

Legal Deadline: None

Abstract: Amendment to reflect amendments to 19 U.S.C. 58c, the Customs user fee statute, made by the Miscellaneous Trade and Technical Corrections Act of 1999 (the Act), as well as prior legislative changes to that user fee statute. Amendment sets forth, pursuant to the Act, the new fee structure for passengers arriving in the United States aboard commercial vessels and aircraft, and clarifies how Customs administers certain user fees.

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Timetable:

Action	Date	FR Cite
NPRM	03/18/02	67 FR 11954
NPRM Comment Period End	05/17/02	
Final Action	10/00/02	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Robert Reiley, Financial Officer, Financial Management Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1504

RIN: 1515-AC81

2353. PROTOTYPES USED SOLELY FOR PRODUCT DEVELOPMENT, TESTING, EVALUATION OR QUALITY CONTROL PURPOSES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; PL 106-476

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, September 9, 2001, Public Law 106-476.

Abstract: Amendment to establish rules and procedures under the Product Development and Testing Act of 2000 (PDTA). The purpose of the PDTA is to promote product development and testing in the United States by allowing the duty-free entry of articles, commonly referred to as prototypes, that are to be used exclusively in product development, testing, evaluation and quality control. Amendments set forth the procedures for both the identification of those prototypes properly entitled to duty-free entry, as well as the permissible sale of such prototypes, following use in the United States, as scrap, waste, or for recycling.

Timetable:

Action	Date	FR Cite
NPRM	03/08/02	67 FR 10636
NPRM Comment Period End	04/08/02	
Final Action	09/00/02	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Patricia Fitzpatrick, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1106

RIN: 1515-AC88

2354. PROCEDURES GOVERNING THE BORDER RELEASE ADVANCED SCREENING AND SELECTIVITY (BRASS) PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 24; 19 CFR 123; 19 CFR 132; 19 CFR 142

Legal Deadline: None

Abstract: Amendment to provide for the Border Release Advanced Screening and Selectivity (BRASS) Program, an improved automated and electronic system that will replace the Line Release method of processing certain repetitive and high volume shipments of merchandise into the U.S.

Timetable:

Action	Date	FR Cite
NPRM	02/01/02	67 FR 4930
NPRM Comment Period End	04/02/02	
Final Action	08/00/02	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Enrique S. Tamayo, Operations Officer, Trade Programs, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0693

RIN: 1515-AC92

2355. PATENT SURVEYS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624

CFR Citation: 19 CFR 12; 19 CFR 24

Legal Deadline: None

Abstract: Amendment to eliminate patent surveys.

Timetable:

Action	Date	FR Cite
NPRM	07/00/02	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Louis Alfano, Customs Officer, Commercial Enforcement, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0005

RIN: 1515-AC93

2356. SINGLE ENTRY FOR UNASSEMBLED OR DISASSEMBLED ENTITIES IMPORTED ON MULTIPLE CONVEYANCES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 141; 19 CFR 142

Legal Deadline: Final, Statutory, May 9, 2001, Public Law 106-476.

Abstract: Amendment to allow an importer of record, under certain conditions, to submit a single entry to cover multiple portions of a single entity which, due to its size or nature, arrives in the United States on separate conveyances. Amendment implements statutory changes made to the merchandise entry laws by the Tariff Suspension and Trade Act of 2000.

Timetable:

Action	Date	FR Cite
NPRM	04/08/02	67 FR 16664
NPRM Comment Period End	06/07/02	
Final Action	10/00/02	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Keith Fleming, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington
Phone: 202 927-1049

Larry L. Burton, Chief, Entry Procedures and Carriers Branch, Department of the Treasury, United States Customs Service, 1300

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Pennsylvania Avenue NW.,
Washington, DC 20229
Phone: 202 927-2269

Patricia Fitzpatrick, Operations Officer,
Department of the Treasury, United
States Customs Service, Office of Field
Operations, 1300 Pennsylvania Avenue
NW., Washington, DC 20229
Phone: 202 927-1106

RIN: 1515-AC94

2357. • CIVIL FINES FOR IMPORTATION OF MERCHANDISE BEARING A COUNTERFEIT MARK

Priority: Substantive, Nonsignificant

Legal Authority: 17 USC 101; 17 USC
601 to 603; 19 USC 66; 19 USC 1624;
31 USC 9701

CFR Citation: 19 CFR 133

Legal Deadline: None

Abstract: Amendment pertaining to the importation of merchandise bearing a counterfeit mark to clarify the limit on the amount of a civil fine which may be assessed by Customs when merchandise bearing a counterfeit mark is imported. Current regulations use, as a measurement for determining the limit, the domestic value of merchandise as if it had been genuine, based on the manufacturer's suggested retail price of the merchandise at the time of seizure. The amendment adheres more closely to the statutory language, basing the limit of the civil fine on the value of the genuine goods according to the manufacturer's suggested retail price, without any reference to domestic value.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Lynne O. Robinson,
Attorney, Penalties Branch, Department

of the Treasury, United States Customs
Service, Office of Regulations and
Rulings, 1300 Pennsylvania Avenue
NW., Washington, DC 20229
Phone: 202 927-2346

RIN: 1515-AC98

2358. • RE-USE OF AIR WAYBILL NUMBER ON AIR CARGO MANIFEST

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC
58b; 19 USC 66; 19 USC 1431; 19 USC
1433; 19 USC 1436; 19 USC 1448; 19
USC 1459; 19 USC 1590; 19 USC 1594;
19 USC 1623; 19 USC 1624; 19 USC
1644; 19 USC 1644a

CFR Citation: 19 CFR 122

Legal Deadline: None

Abstract: Amendment pertaining to air commerce to provide that once an air waybill number is used on an air cargo manifest, one year must elapse before the same air waybill number may be used on another air cargo manifest. Current regulations prohibit the re-use of an air waybill number for three years after it is used on an air cargo manifest. Amendment also specifies that air cargo manifests must reference an 11-digit air waybill number for each air waybill it covers.

Timetable:

Action	Date	FR Cite
NPRM	03/01/02	67 FR 9423
NPRM Comment Period End	04/30/02	
Final Action	08/00/02	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Robert Scholtens,
Operations Officer, Trade Programs,
Department of the Treasury, United
States Customs Service, Office of Field
Operations, 1300 Pennsylvania Avenue
NW., Washington, DC 20229

Phone: 202 927-3459

RIN: 1515-AD01

2359. • CONDITIONAL RELEASE PERIOD AND CUSTOMS BOND OBLIGATIONS FOR FOOD, DRUGS, DEVICES AND COSMETICS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC
1202; 19 USC 1448; 19 USC 1484; 19
USC 1499; 19 USC 1623; 19 USC 1624;
21 USC 381

CFR Citation: 19 CFR 141; 19 CFR 151

Legal Deadline: None

Abstract: Amendment to provide for a specific conditional release period for any food, drug, device, or cosmetic which has been released under bond and for which admissibility is to be determined under the provisions of the Food, Drug and Cosmetic Act. Amendment also clarifies the amount of liquidated damages that may be assessed when there is a breach of the terms and conditions of the Customs bond. Lastly, amendment authorizes any representative of the Food and Drug Administration to obtain a sample of any food, drug, device, or cosmetic, the importation of which is governed by section 801 of the Food, Drug and Cosmetic Act, as amended.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Jeremy Baskin,
Attorney-Advisor, Penalties Branch,
Department of the Treasury, United
States Customs Service, 1300
Pennsylvania Avenue NW.,
Washington, DC 20229
Phone: 202 927-1176

RIN: 1515-AD05

Department of the Treasury (TREAS) United States Customs Service (CUSTOMS)

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2360. HARBOR MAINTENANCE FEE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; PL 99-662;
19 USC 66; 19 USC 81a to 81u; 19 USC

623; 19 USC 1202; 19 USC 1624; 31
USC 9701; PL 99-272; PL 99-509

CFR Citation: 19 CFR 4; 19 CFR 24;
19 CFR 146; 19 CFR 178

Legal Deadline: Final, Statutory, April
1, 1987.

Abstract: Amendments to the Customs
Regulations to implement provisions of
the Water Resources Development Act
of 1986, which authorizes Customs to

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assess a harbor maintenance fee of 0.125 percent (.00125) on the value of commercial cargo loaded on or unloaded from a commercial vessel at a port unless specifically exempted from the fee. Proceeds of the fee are deposited in a trust fund for the U.S. Army Corps of Engineers to use for the improvement and maintenance of U.S. ports and harbors.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/30/87	52 FR 10198
Interim Final Rule Effective	03/01/87	
Interim Final Rule Comment Period End	05/29/87	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Deborah Thompson, Accountant, Accounts Receivable Branch, Department of the Treasury, United States Customs Service, Office of Finance, Indianapolis, IN 46278
Phone: 317 298-1200

RIN: 1515-AA57

2361. DONATED CARGO EXEMPTION FROM HARBOR MAINTENANCE FEE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a; 19 USC 66; 19 USC 1202; 19 USC 1624; 31 USC 9701; 19 USC 58b; 19 USC 58c

CFR Citation: 19 CFR 24

Legal Deadline: None

Abstract: Amends interim Customs Regulations relating to harbor maintenance fees. The interim regulations established a shipping fee for transporting cargo on specified U.S. waterways. The Act was amended to include an exemption for nonprofit organizations or cooperatives, which own or finance cargo determined by Customs to be intended for use in humanitarian or development assistance overseas. This amendment sets forth the applicability and terms of this exemption.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/08/92	57 FR 607
Interim Final Rule Effective	01/08/92	

Action	Date	FR Cite
Interim Final Rule Comment Period End	03/09/92	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Deborah Thompson, Accountant, Accounts Receivable Branch, Department of the Treasury, United States Customs Service, Office of Finance, Indianapolis, IN 46278
Phone: 317 298-1200

RIN: 1515-AA87

2362. NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)—IMPLEMENTATION OF DUTY-DEFERRAL PROGRAM PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1481; 19 USC 1484; 19 USC 1202; 19 USC 1315; 19 USC 1624; 19 USC 3314

CFR Citation: 19 CFR 181; 19 CFR 113; 19 CFR 141; 19 CFR 144; 19 CFR 10

Legal Deadline: Final, Statutory, January 1, 1996.

Abstract: Document amends regulations to establish procedural and other requirements that apply to the collection, waiver, and reduction of duties under the duty-deferral program provisions of the North American Free Trade Agreement. The document prescribes the documentary and other requirements that must be followed when merchandise is withdrawn from a U.S. duty-deferral program, either for exportation to another NAFTA country or for entry into a duty-deferral program of another NAFTA country, the procedures that must be followed in filing a claim for a waiver or reduction of duties collected on such merchandise, and the procedures for finalization of duty collections and duty waiver or reduction claims.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/30/96	61 FR 2908
Interim Final Rule Effective	01/01/96	
Interim Final Rule Comment Period End	04/01/96	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Shawn Filion, Commercial Program Specialist, Department of the Treasury, United States Customs Service, Office of Field Operations, North Star Commercial, P.O. Box 400, Buffalo, NY 14225
Phone: 716 551-3053

RIN: 1515-AB87

2363. CUSTOMS ENTRY DOCUMENTATION PURSUANT TO ANTICOUNTERFEITING CONSUMER PROTECTION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 141

Legal Deadline: Final, Statutory, January 2, 1997.

Abstract: Document implements section 12 of the Anticounterfeiting Consumer Protection Act of 1996 (ACPA), which was enacted by Congress to protect consumers and American businesses from counterfeit copyrighted and trademarked products. Section 12 of the ACPA concerns the content of entry documentation required by Customs to determine whether the imported merchandise or its packaging bears an infringing trademark. Amendment requires importers to provide on the invoice a listing of all trademarks appearing on imported merchandise and its packaging.

Timetable:

Action	Date	FR Cite
NPRM	09/13/99	64 FR 49423
NPRM Comment Period End	12/13/99	64 FR 62135
Final Action	10/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joanne R. Stump, Chief, Intellectual Property Rights, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-3315

RIN: 1515-AC15

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2364. COUNTRY-OF-ORIGIN MARKING**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1304; 19 USC 1624**CFR Citation:** 19 CFR 134**Legal Deadline:** None

Abstract: Amendments clarify the country-of-origin marking rules set forth in part 134 of the Customs Regulations. Amendments promote the concept of informed compliance by the trade and proper field administration of the statutory requirement.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4193
NPRM Comment Period End	04/26/00	65 FR 17473
Final Action	08/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Monika Rice Brenner, Attorney-Advisor, Special Classification and Marking Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2310

Kristen VerSteeg, Attorney-Advisor, Special Classification and Marking Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2310

RIN: 1515-AC32**2365. EXPANDED METHODS OF PAYMENT OF DUTIES, TAXES, INTEREST AND FEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 19 USC 197; 19 USC 198; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 19 USC 1202; 19 USC 1450; 19 USC 1624; 31 USC 9701**CFR Citation:** 19 CFR 24**Legal Deadline:** None

Abstract: Amendment to expand the number of ways that Customs will accept payment of duties, taxes, fees, interest and other charges. Currently, the regulations allow for credit or charge cards, which have been

authorized by the Commissioner of Customs, to be used at designated Customs-serviced locations with a limitation that this method of payment may only be used by noncommercial entities. Amendment allows payment of duties, taxes, fees, interest and other charges by any electronic technology or charge cards (either debit or credit cards) that are authorized by the Commissioner of Customs and by removing the limitation that these methods of payment may only be used by noncommercial entities.

Timetable:

Action	Date	FR Cite
NPRM	03/17/99	64 FR 13141
NPRM Comment Period End	05/17/99	
Final Action	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Linda Lloyd, Financial Officer, Financial Policy Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0119

RIN: 1515-AC40**2366. IMPORTATION AND ENTRY BOND CONDITIONS REGARDING OTHER AGENCY DOCUMENTATION REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 19 USC 66; 19 USC 1623; 19 USC 1624**CFR Citation:** 19 CFR 113**Legal Deadline:** None

Abstract: Amendment with regard to the basic importation and entry bond condition under which, if merchandise is conditionally released to the principal named in the bond, the principal agrees to furnish Customs with any document or evidence as required by law or regulation. Amendment would extend this requirement, and consequently the potential liability for payment of liquidated damages for a breach of the bond condition, to documents and evidence submitted to other Government agencies under laws and regulations of those other agencies.

Timetable:

Action	Date	FR Cite
NPRM	08/06/99	64 FR 42872
NPRM Comment Period End	10/05/99	
Final Action	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Jeremy Baskin, Attorney-Advisor, Penalties Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1176

RIN: 1515-AC44**2367. ADMINISTRATIVE RULINGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1502; 19 USC 1624; 19 USC 1625**CFR Citation:** 19 CFR 177**Legal Deadline:** None

Abstract: Document revises those provisions of the Customs Regulations that concern the issuance of administrative rulings and related written determinations and decisions on prospective and current transactions arising under the Customs and related laws. Changes include amendments in response to statutory changes made to the administrative ruling process by section 623 of the Customs Modernization provisions of the North American Free Trade Agreement Implementation Act, as well as substantive and organizational changes to clarify current administrative practice, and otherwise improve the layout and readability of the present regulatory texts.

Timetable:

Action	Date	FR Cite
NPRM	07/17/01	66 FR 37370
NPRM Comment Period End	10/17/01	66 FR 45235
Final Action	10/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: John Elkins, Chief, Textiles Branch, Office of Regulations and Rulings, Department of the Treasury, United States Customs

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Final Rule Stage

Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2380

RIN: 1515-AC56

2368. GENERAL ORDER WAREHOUSES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1311; 19 USC 1312; 19 USC 1484; 19 USC 1485; 19 USC 1490 to 1493; 19 USC 1506; 19 USC 1559; 19 USC 1563

CFR Citation: 19 CFR 4; 19 CFR 19; 19 CFR 122; 19 CFR 123; 19 CFR 127

Legal Deadline: None

Abstract: Amendment principally creates a new class of bonded warehouse exclusively for the receipt of general order merchandise and includes procedures for authorizing and operating general order warehouses. Amendment also implements certain amendments to the law made by the Customs modernization portion of the North American Free Trade Agreement Implementation Act concerning the circumstances where the title to unclaimed and abandoned merchandise vests in the Government, in lieu of sale of the merchandise at public auction.

Timetable:

Action	Date	FR Cite
NPRM	07/12/00	65 FR 42893
NPRM Comment Period End	09/11/00	
Final Action	06/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Raymond Janiszewski, Supervisory Import Specialist, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0365

RIN: 1515-AC57

2369. DEFERRAL OF DUTY ON LARGE YACHTS IMPORTED FOR SALE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1484b; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 4; 19 CFR 113

Legal Deadline: None

Abstract: Amendment to set forth procedures for the deferral of entry filing and duty collection on certain yachts imported for sales at boat shows in the United States.

Timetable:

Action	Date	FR Cite
NPRM	06/15/00	65 FR 37501
NPRM Comment Period End	08/14/00	
Final Action	09/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Larry L. Burton, Chief, Entry Procedures and Carriers Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2269

RIN: 1515-AC58

2370. CIVIL AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 3314

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment concerning the duty-free entry of civil aircraft merchandise to reflect amendments to General Note 6 of the Harmonized Tariff Schedule of the United States made by the Miscellaneous Trade and Technical Corrections Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	06/29/00	65 FR 40067
NPRM Comment Period End	08/28/00	
Final Action	05/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dixie Staple, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1131

RIN: 1515-AC59

2371. USER AND NAVIGATION FEES; OTHER REIMBURSABLE CHARGES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a to 58c; 19 USC 66; 19 USC 1202; 19 USC 1431; 19 USC 1433; 19 USC 1434; 19 USC 1505; 19 USC 1624; 31 USC 9701; 46 USC 2110 to 2112

CFR Citation: 19 CFR 4; 19 CFR 24; 19 CFR 101

Legal Deadline: None

Abstract: Amendment regarding the proper assessment of user and navigation fees, as well as other reimbursement charges for Customs services performed in connection with, among other things, the processing of vehicles, vessels, aircraft and merchandise arriving in the United States. The purpose of the amendment is to conform the regulations with the intent of the Customs user fee statute and to reflect existing operational policy and administrative practice in this area.

Timetable:

Action	Date	FR Cite
NPRM	05/01/01	66 FR 21705
NPRM Comment Period End	07/02/01	
Final Action	09/00/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kimberly Nott, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1364

RIN: 1515-AC63

2372. MERCHANDISE PROCESSING FEE ELIGIBLE TO BE CLAIMED AS UNUSED MERCHANDISE DRAWBACK

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1313; 19 USC 1624

CFR Citation: 19 CFR 191

Legal Deadline: None

Abstract: Amendment to indicate that merchandise processing fees are eligible to be claimed as unused merchandise drawback. The change is made to reflect a recent court decision in which

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merchandise processing fees were found to be assessed under Federal law and imposed by reason of importation and therefore eligible to be claimed as unused merchandise drawback pursuant to 19 U.S.C. 1313(j).

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/09/01	66 FR 9647
Interim Final Rule Effective	02/09/01	
Interim Final Rule Comment Period End	04/10/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination Branch, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2077

RIN: 1515-AC67

2373. AFRICAN GROWTH AND OPPORTUNITY ACT AND GENERALIZED SYSTEM OF PREFERENCES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2461; 19 USC 3314; 19 USC 3721

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2000, Public Law 106-200.

Abstract: Amendments to implement the trade benefit provisions for sub-Saharan Africa contained in title I of the Trade and Development Act of 2000. The trade benefits under title I, also referred to as the African Growth and Opportunity Act, apply to sub-Saharan African countries designated by the President and involve the extension of duty-free treatment under the Generalized System of Preferences (GSP) to non-import-sensitive, non-textile articles normally excluded from GSP duty-free treatment, and the entry of specific textile and apparel articles free of duty and free of any quantitative limits.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/05/00	65 FR 59668
Interim Final Rule Effective	10/01/00	
Interim Final Rule Comment Period End	12/04/00	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Cynthia Reese, Senior Attorney, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1361

Leon Hayward, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-9704

RIN: 1515-AC72

2374. PRIVATE AIRCRAFT PROGRAMS: ESTABLISHMENT OF THE GENERAL AVIATION TELEPHONIC ENTRY (GATE) PROGRAM AND REVISIONS TO THE OVERFLIGHT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58b; 19 USC 66; 19 USC 1433; 19 USC 1436; 19 USC 1448; 19 USC 1459; 19 USC 1590; 19 USC 1594; 19 USC 1623; 19 USC 1624; 19 USC 1644; 19 USC 1644a

CFR Citation: 19 CFR 122; 19 CFR 123

Legal Deadline: None

Abstract: Amendment provides for the GATE Program and revises the Overflight Program. The GATE Program is a voluntary program designed to facilitate Customs processing of certain prequalified frequent travelers on preregistered general aviation aircraft arriving in the United States directly from Canada. The Overflight Program exempts certain private aircraft arriving in the continental United States from the special landing requirements applicable to such aircraft. The revision to the Overflight Program involves modifying the application process and centralizing the processing of requests for overflight privileges.

Timetable:

Action	Date	FR Cite
NPRM	08/03/01	66 FR 40649
NPRM Comment Period End	10/02/01	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steve Gilbert, Programs Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1391

RIN: 1515-AC73

2375. UNITED STATES-CARIBBEAN BASIN TRADE PARTNERSHIP ACT AND CARIBBEAN BASIN INITIATIVE

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2701; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2000, Public Law 106-200.

Abstract: Amendments to implement the trade benefit provisions for Caribbean Basin countries contained in title II of the Trade and Development Act of 2000. The trade benefits under title II, also referred to as the United States-Caribbean Basin Trade Partnership Act (the CBTPA), apply to Caribbean Basin countries designated by the President and involve the entry of specific textile and apparel articles free of duty and free of any quantitative restrictions, limitations, or consultation levels and the extension of NAFTA duty treatment standards to non-textile articles that are excluded from duty-free treatment under the Caribbean Basin Initiative program.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/05/00	65 FR 59660
Interim Final Rule Effective	10/01/00	
Interim Final Rule Comment Period End	12/04/00	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

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Government Levels Affected: None

Agency Contact: Craig Walker, Senior Attorney-Advisor, Department of the Treasury, United States Customs Service, Special Classification and Marking Branch, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1116

Leon Hayward, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-9704

Cynthia Reese, Senior Attorney, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1361

RIN: 1515-AC76

2376. DUTY-FREE TREATMENT FOR CERTAIN BEVERAGES MADE WITH CARIBBEAN RUM

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2701; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: None

Abstract: Amendment to implement a change made by the Trade and Development Act of 2000 to the Caribbean Basin Economic Recovery Act, also known as the Caribbean Basin Initiative (CBI), that enables certain liquors and spirituous beverages to obtain duty-free entry under specified conditions when the beverages are processed in the territory of Canada from rum that is the growth, product or manufacture either of a CBI beneficiary country or of the U.S. Virgin Islands. The regulations set forth the certification and supporting documentation requirements that are necessary to establish compliance with the statutory law, thereby enabling that the rum beverages are properly entitled to duty-free entry under the CBI.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/09/01	66 FR 9643
Interim Final Rule Effective	02/09/01	

Action	Date	FR Cite
Interim Final Rule	04/10/01	
Comment Period End		
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Leon Hayward, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-9704

RIN: 1515-AC78

2377. RULES OF ORIGIN FOR TEXTILE AND APPAREL PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 3314; 19 USC 3592

CFR Citation: 19 CFR 102

Legal Deadline: None

Abstract: Amendment to align the existing country of origin rules for textiles and apparel products with the statutory amendments to section 334 of the Uruguay Round Agreements Act, as set forth in section 405 within title IV of the Trade and Development Act of 2000. The amendment to the Customs Regulations reflects the amendments set forth in section 405 regarding the processing operations necessary to confer country of origin status to certain textile fabrics and made-up articles.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/01/01	66 FR 21660
Interim Final Rule Effective	05/01/01	
Interim Final Rule Comment Period End	07/02/01	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Cynthia Reese, Senior Attorney, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229

Phone: 202 927-1361

RIN: 1515-AC80

2378. AMENDED PROCEDURE FOR OBTAINING REFUNDS OF HARBOR MAINTENANCE FEES PAID ON EXPORTS OF MERCHANDISE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a to 58c; 19 USC 66; 19 USC 1202; 19 USC 1505; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701

CFR Citation: 19 CFR 24

Legal Deadline: None

Abstract: Amendment to simplify the procedure for requesting refunds of harbor maintenance fees paid on exports of merchandise.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/28/01	66 FR 16854
Interim Final Rule Effective	03/28/01	
Interim Final Rule Comment Period End	04/27/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Deborah Thompson, Accountant, Accounts Receivable Branch, Department of the Treasury, United States Customs Service, Office of Finance, Indianapolis, IN 46278
Phone: 317 298-1200

RIN: 1515-AC82

2379. LICENSES FOR CERTAIN WORSTED WOOL FABRICS SUBJECT TO TARIFF-RATE QUOTA

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1508; 19 USC 1509; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 132; 19 CFR 163

Legal Deadline: None

Abstract: Amendment to set forth the form and manner by which an importer establishes that a valid license, issued under regulations of the U.S. Department of Commerce, is in effect for certain worsted wool fabric that is the subject of a tariff-rate quota.

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Timetable:

Action	Date	FR Cite
Interim Final Rule	05/01/01	66 FR 21664
Interim Final Rule Effective	05/01/01	66 FR 27453
Interim Final Rule Comment Period End	07/02/01	66 FR 21664
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Erin Riley, Trade Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-5395

RIN: 1515-AC83

2380. AMENDMENT TO WOOL DUTY REFUND PROGRAM**Priority:** Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 3314; PL 106-200

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment to the provision regarding the refund of duties paid on imports of wool products pursuant to section 505 of the Trade and Development Act of 2000. Principally, the document rectifies an interpretive error regarding the description of the types of wool products that are eligible to provide the basis for a wool duty refund for claim year 2000.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/23/01	66 FR 20392
Interim Final Rule Effective	04/23/01	
Interim Final Rule Comment Period End	06/22/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Bruce Ingalls, Chief, Entry and Drawback Management, Department of the Treasury, United States Customs Service, Office of Field

Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1082

RIN: 1515-AC85

2381. DOG AND CAT PROTECTION ACT**Priority:** Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1308; 19 USC 1592; 19 USC 1593a; 19 USC 1624

CFR Citation: 19 CFR 12; 19 CFR 113; 19 CFR 151; 19 CFR 162

Legal Deadline: Final, Statutory, August 9, 2001, Public Law 106-476.

Abstract: Amendment to implement certain provisions of the Dog and Cat Protection Act of 2000. The Dog and Cat Protection Act of 2000 prohibits the importation of any products containing dog or cat fur, and provides for civil and criminal penalties for violations of the Act. Amendment sets forth the prohibitions on dog and cat fur importations and the penalties for violations. Amendment also implements the provision of the Act pertaining to Customs certification process of commercial laboratories, both domestic and foreign, that can determine if articles intended to be imported into the United States contain dog or cat fur.

Timetable:

Action	Date	FR Cite
NPRM	08/10/01	66 FR 42163
NPRM Comment Period End	10/09/01	
Final Action	07/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Luan Cotter, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1249

Renee Stevens, Science Officer, Department of the Treasury, United States Customs Service, Office of Laboratories and Scientific Services, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0941

Jeremy Baskin, Attorney-Advisor, Penalties Branch, Department of the

Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1176

RIN: 1515-AC87

2382. PREFERENTIAL TREATMENT OF BRASSIERES UNDER THE UNITED STATES-CARIBBEAN BASIN TRADE PARTNERSHIP ACT**Priority:** Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2701; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2001, Public Law 106-200.

Abstract: Amendment to implement those provisions within the United States-Caribbean Basin Trade Partnership Act (the CBTPA) that establish standards for preferential treatment for brassieres imported from CBTPA beneficiary countries. The amendments involve specifically the methods, procedures and related standards that will apply for purposes of determining compliance with the 75 percent aggregate U.S. fabric components content requirement under the CBTPA brassieres provision.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/04/01	66 FR 50534
Interim Final Rule Effective	10/04/01	
Correction	10/11/01	66 FR 51864
Interim Final Rule Comment Period End	12/03/01	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Dick Crichton, Operations Officer, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0162

Cynthia Reese, Senior Attorney, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229

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Final Rule Stage

Phone: 202 927-1361

RIN: 1515-AC89

2383. SINGLE ENTRY FOR SPLIT SHIPMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624**CFR Citation:** 19 CFR 141; 19 CFR 142**Legal Deadline:** Final, Statutory, May 9, 2001, Public Law 106-476.

Abstract: Amendment to allow an importer of record, under certain conditions, to submit a single entry to cover multiple portions of a single shipment which was split by the carrier and arrives in the United States at different times.

Timetable:

Action	Date	FR Cite
NPRM	11/16/01	66 FR 57688
NPRM Comment Period End	01/15/02	
Comment Period Extended	02/14/02	67 FR 3135
Final Action	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Larry L. Burton, Chief, Entry Procedures and Carriers Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2269

Keith Fleming, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington
Phone: 202 927-1049

RIN: 1515-AC91

2384. • PASSENGER AND CREW MANIFESTS REQUIRED FOR PASSENGER FLIGHTS IN FOREIGN AIR TRANSPORTATION TO THE UNITED STATES**Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58b; 19 USC 66; 19 USC 1433; 19 USC 1436; 19 USC 1448; 19 USC 1459; 19 USC 1590; 19 USC 1594; 19 USC 1623; 19 USC 1624; 19 USC 1644; 19 USC 1644a; 49 USC 44909(c); 19 USC 1431

CFR Citation: 19 CFR 122**Legal Deadline:** None

Abstract: Amendment to implement a provision of the Aviation and Transportation Security Act which requires that each air carrier, foreign and domestic, operating a passenger flight in foreign air transportation to the United States electronically transmit to Customs in advance of arrival a passenger and crew manifest that contains certain specified information. The submission of this information to Customs is required for purposes of ensuring aviation safety and protecting national security.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/31/01	66 FR 67482
Interim Final Rule Comment Period End	03/01/02	
Final Action	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: James Jeffers, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-4444

RIN: 1515-AC99

2385. • MANUFACTURING SUBSTITUTION DRAWBACK: DUTY APPORTIONMENT**Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1313; 19 USC 1624

CFR Citation: 19 CFR 191**Legal Deadline:** None

Abstract: Amendment to provide the method for calculating manufacturing substitution drawback where imported merchandise, which is dutiable on its value, contains a chemical element and amounts of that chemical element are used in the manufacture or production of articles which are either exported or destroyed under Customs supervision. Recent court cases have held that a chemical element that is contained in an imported material that is subject to an ad valorem rate of duty may be designated as same kind and quality merchandise for drawback purposes. Amendment provides the method by

which the duty attributable to the chemical element can be apportioned. Amendment requires a drawback claimant, where applicable, to make this apportionment calculation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination Branch, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2077

RIN: 1515-AD02

2386. • ACCESS TO CUSTOMS SECURITY AREAS AT AIRPORTS**Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58b; 19 USC 66; 19 USC 1433; 19 USC 1436; 19 USC 1448; 19 USC 1459; 19 USC 1590; 19 USC 1594; 19 USC 1623; 19 USC 1624; 19 USC 1644; 19 USC 1644a

CFR Citation: 19 CFR 122**Legal Deadline:** None

Abstract: Amendments regarding the standards for employee access to Customs security areas at airports that accommodate international air commerce. Amendments involve the addition of a biennial access approval reapplication requirement, an expansion of the grounds for denial of an application for access, the addition of a requirement that each employee granted access must report to Customs certain changes in the employee's circumstances, the inclusion of several new employer responsibilities, an expansion of the grounds for revocation or suspension of access and for proposed revocation or suspension of access, and a limitation of the opportunity to have a hearing in a revocation or suspension action to only cases in which there is a genuine issue regarding a material fact. The changes are needed to enhance the security areas and are commensurate with the heightened enforcement posture of the Federal Government following the September 11, 2001, terrorist attacks.

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Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Elizabeth Tritt, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-4434

RIN: 1515-AD04

2387. • PASSENGER NAME RECORD INFORMATION REQUIRED FOR PASSENGERS ON FLIGHTS IN FOREIGN AIR TRANSPORTATION TO OR FROM THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58b; 19 USC 66; 19 USC 1433; 19 USC 1436; 19 USC 1448; 19 USC 1459; 19 USC 1590; 19 USC 1594; 19 USC 1623; 19 USC 1624; 19 USC 1644; 19 USC 1644a; 19 USC 1431; 49 USC 44909(c)

CFR Citation: 19 CFR 122

Legal Deadline: None

Abstract: Amendment to implement a provision of the Aviation and Transportation Security Act which requires that air carriers make Passenger Name Record (PNR) information available to Customs upon request. The availability of PNR information to Customs is necessary for purposes of ensuring aviation safety and protecting national security.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Liliana Quintero, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2531

RIN: 1515-AD06

2388. • ELIMINATION OF TARIFF-RATE QUOTA ON IMPORTED LAMB MEAT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 132; 19 CFR 163

Legal Deadline: None

Abstract: Amendment to remove the regulation requiring that lamb meat subject to tariff-rate quota be covered by an export certificate in order to obtain the in-quota rate of duty. The regulation is no longer necessary because the tariff-rate quota imposed on imported lamb meat products was eliminated by Presidential Proclamation 7502 of November 14, 2001.

Timetable:

Action	Date	FR Cite
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Thomas Fitzpatrick, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-5385

RIN: 1515-AD09

Department of the Treasury (TREAS)

Long-Term Actions

United States Customs Service (CUSTOMS)

2389. ENTRY OF SOFTWOOD LUMBER SHIPMENTS FROM CANADA

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 12; 19 CFR 113

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/26/97	62 FR 8620
Interim Final Rule Effective	02/26/97	
Interim Final Rule Comment Period End	04/28/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Leon Hayward
Phone: 202 927-9704

RIN: 1515-AB97

2390. DESIGNATED LAND BORDER CROSSING LOCATIONS FOR CERTAIN CONVEYANCES

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 123

Timetable:

Action	Date	FR Cite
NPRM	11/17/97	62 FR 61251
NPRM Comment Period End	01/16/98	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Dennis Dore
Phone: 202 927-3274

RIN: 1515-AC12

2391. ENTRY OF SOFTWOOD LUMBER SHIPMENTS FROM CANADA

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 12

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/00	65 FR 33251
Interim Final Rule Effective	05/23/00	
Interim Final Rule Comment Period End	07/24/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Leon Hayward
Phone: 202 927-9704

RIN: 1515-AC62

Department of the Treasury (TREAS)
United States Customs Service (CUSTOMS)

Completed Actions

2392. CIVIL ASSET FORFEITURE

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 162; 19 CFR 171

Completed:

Reason	Date	FR Cite
Final Action	02/28/02	67 FR 9188
Final Action Effective	02/28/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeremy Baskin
 Phone: 202 927-1176

RIN: 1515-AC69

2393. • IMPORT RESTRICTIONS IMPOSED ON ARCHAEOLOGICAL AND ETHNOLOGICAL MATERIALS FROM BOLIVIA

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 2612

CFR Citation: 19 CFR 12

Legal Deadline: None

Abstract: Amendment to reflect the imposition of import restrictions on certain archaeological and ethnological materials originating in Bolivia. These restrictions are being imposed pursuant to an agreement between the United States and Bolivia that has been entered into under the authority of the Convention on Cultural Property Implementation Act in accordance with the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Timetable:

Action	Date	FR Cite
Final Action	12/07/01	66 FR 63490
Final Action Effective	12/07/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joseph Howard, Attorney, Intellectual Property Rights Branch, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
 Phone: 202 927-2336

Alfred Morawski, Chief, Other Government Agencies Branch, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
 Phone: 202 927-0402

RIN: 1515-AC95

2394. • DRAWBACK; CONFORMING AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1313; 19 USC 1624

CFR Citation: 19 CFR 191

Legal Deadline: None

Abstract: Amendment relating to drawback to conform regulations to changes that were made to the drawback law by the Miscellaneous Trade and Technical Corrections Act of 1999. The amendments concern drawback on packaging material and drawback in connection with the substitution of finished petroleum derivatives.

Timetable:

Action	Date	FR Cite
Final Action	04/08/02	67 FR 16634
Final Action Effective	04/08/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination Branch, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
 Phone: 202 927-2077

RIN: 1515-AD00

2395. • ANDEAN TRADE PREFERENCE ACT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 3; 19 USC 66; 19 USC 1431; 19 USC 1433; 19 USC 1434; 19 USC 1505; 19 USC 1624; 46 USC app 3; 46 USC app 91

CFR Citation: 19 CFR 141

Legal Deadline: None

Abstract: Duty-free treatment for eligible articles from beneficiary countries under the Andean Trade

Preference Act (ATPA) expired on December 4, 2001. This amendment provides that effective February 15, 2002, importers of eligible articles that, but for the expiration of the ATPA would have been entitled to duty-free treatment under the ATPA, may exercise the option to defer the payment of estimated Customs duties and fees after entry of those articles until May 16, 2002. The Administration anticipates that the duty-free treatment accorded to merchandise under the provisions of the ATPA will be restored and made retroactive to the date that duty-free treatment under the ATPA expired. The amendment is intended to relieve the importing public from having to deposit estimated duties on eligible merchandise and then having to apply for refund of these duties in the event duty-free treatment is retroactively re-authorized. This temporary rule expires on May 16, 2002.

Timetable:

Action	Date	FR Cite
Temporary rule	02/15/02	67 FR 7070
Final Action Effective	02/15/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Leon Hayward, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
 Phone: 202 927-9704

RIN: 1515-AD03

2396. • PAYMENT OF DUTIES ON CERTAIN STEEL PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1431; 19 USC 1433; 19 USC 1434; 19 USC 1505; 19 USC 1624; 46 USC app 3; 46 USC app 91

CFR Citation: 19 CFR 141

Legal Deadline: None

Abstract: Temporary amendment that requires importers of steel products described in Presidential Proclamation 7529 To Facilitate Positive Adjustment to Competition From Imports of Certain Steel Products to defer until April 19, 2002, the deposit of the estimated duties described in the Proclamation on those products entered or withdrawn

TREAS—CUSTOMS

Completed Actions

from warehouse for consumption in the Customs territory of the United States on or after 12:01 a.m., EST, March 20, 2002 and up to April 4, 2002. The rule implements an instruction of the President regarding the Presidential Proclamation.

Timetable:

Action	Date	FR Cite
Temporary rule	03/20/02	67 FR 12860
Final Action Effective	03/20/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Considine, Chief, Cargo Control Branch, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229

Phone: 202 927-0533

RIN: 1515-AD07

2397. • NORTH AMERICAN FREE TRADE AGREEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 3314

CFR Citation: 19 CFR 181

Legal Deadline: None

Abstract: Amendment to implement the preferential tariff treatment and other Customs-related provisions of the North American Free Trade Agreement (NAFTA) entered into by the United States, Canada and Mexico. Amendments involve technical rectifications and other conforming changes to reflect amendments to the NAFTA uniform regulations agreed

upon by the three NAFTA parties and to reflect changes to the Harmonized Tariff of the United States.

Timetable:

Action	Date	FR Cite
Final Action	04/02/02	67 FR 15480
Final Action Effective	04/01/02	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Valentine, Attorney-Advisor, Department of the Treasury, United States Customs Service, International Agreements Staff, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2255

RIN: 1515-AD08

BILLING CODE 4820-02-S

Department of the Treasury (TREAS)

Proposed Rule Stage

Internal Revenue Service (IRS)

2398. GOLDEN PARACHUTE PAYMENTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 280G

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will provide rules relating to restrictions on golden parachute payments. The regulations will provide guidance to taxpayers, who must comply with section 280G, by delineating the circumstances under which payments may be considered excess parachute payments.

Timetable:

Action	Date	FR Cite
NPRM	05/05/89	54 FR 19390
NPRM Comment Period End	07/05/89	
Hearing	11/21/89	54 FR 39548
Second NPRM	02/20/02	67 FR 7630
Second NPRM Comment Period End	06/05/02	
Public Hearing	06/26/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-209114-90 (EE-30-90)

Drafting attorney: Erinn Madden (202) 622-6060

Reviewing attorney: Robert Misner (202) 622-6060

CC:TEGE

Agency Contact: Erinn Madden, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6060

RIN: 1545-AH49

2399. FOREIGN INSURANCE COMPANY—DOMESTIC ELECTION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 953

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide substantive and procedural rules regarding the election under section 953(d) to treat certain controlled foreign corporations engaged in the insurance business as domestic corporations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-208980-89 (INTL-765-89)

Drafting attorney: Valerie A. Mark Lippe (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

CC:INTL

Agency Contact: Valerie A. Mark Lippe, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-AO25

2400. INTERCOMPANY TRANSFER PRICING FOR SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

TREAS—IRS

Proposed Rule Stage

Abstract: The regulations will address the transfer pricing of services between related parties.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-209579-92 (INTL-051-92)

Drafting attorney: J. Peter Luedtke (202) 874-1490

Reviewing attorney: Elizabeth Beck (202) 874-1490

Treasury attorney: Rocco Femia (202) 622-1755

CC:INTL

Agency Contact: J. Peter Luedtke, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza SW, Washington, DC 20024

Phone: 202 874-1490

RIN: 1545-AR32

2401. REPORTING REQUIREMENTS FOR WIDELY HELD FIXED INVESTMENT TRUSTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None

Abstract: This regulation relates to the reporting requirements for widely held fixed investment trusts.

Timetable:

Action	Date	FR Cite
NPRM	08/13/98	63 FR 43354
Hearing	11/05/98	
NPRM Comment Period End	11/12/98	
Second NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106871-00 (PS-6-96)

Drafting attorney: Faith Colson (202) 622-3060

Reviewing attorney: J. Thomas Hines (202) 622-3060

Treasury attorney: Viva Hammer (202) 622-0869

CC:P&SI

Agency Contact: Faith Colson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622-3060

RIN: 1545-AU15

2402. SOURCE RULES FOR PAYMENTS MADE PURSUANT TO CERTAIN SWAP ARRANGEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 863; 26 USC 7701

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will provide rules for determining the source and character of payments made in certain swap transactions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-253560-96

Drafting attorney: Milton M. Cahn (202) 622-3870

Reviewing attorney: Paul S. Epstein (202) 622-3870

CC:INTL

Agency Contact: Milton M. Cahn, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622-3870

RIN: 1545-AU89

2403. REMOVAL OF TEMPORARY REGULATIONS THAT PROVIDE RULES FOR SUBSTANTIATING TRAVEL EXPENSE DEDUCTIONS FOR MEMBERS OF CONGRESS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 5

Legal Deadline: None

Abstract: This project will remove temporary income tax regulations section 5e.274-8 (published as TD 7802

in 47 FR 2986). The regulations provide rules for the substantiation of Congress members' travel expenses, and the regulations are currently out of date because the authorizing legislation was subsequently repealed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-105513-97

Drafting attorney: Edwin B. Cleverdon (202) 622-4920

Reviewing attorney: Robert A. Berkovsky (202) 622-4920

Reviewing attorney: Linda Kroening (202) 622-4800

CC:IT&A

Agency Contact: Edwin B. Cleverdon, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622-4920

RIN: 1545-AV55

2404. TRANSPORTATION OF PERSONS AND PROPERTY BY AIR—SECTIONS 4261 AND 4271

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 4261; 26 USC 4271; 26 USC 7805

CFR Citation: 26 CFR 49

Legal Deadline: None

Abstract: The proposed regulations provide guidance concerning the excise taxes imposed on the amounts paid for the transportation of persons and property by air.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106167-98

Drafting attorney: Patrick S. Kirwan (202) 622-3130

Reviewing attorney: Richard Kocak (202) 622-3130

TREAS—IRS

Proposed Rule Stage

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Patrick S. Kirwan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130

RIN: 1545-AW19

2405. ESTATE TAX DEDUCTION FOR QUALIFIED FAMILY-OWNED BUSINESS INTERESTS (QFOBI)

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 2057; 26 USC 7805

CFR Citation: 26 CFR 20

Legal Deadline: None

Abstract: The proposed regulations will address the estate tax deduction for certain qualified family-owned business interests.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106430-98

Drafting attorney: Lian A. Mito (202) 622-7830

Reviewing attorney: Melissa Liquerian (202) 622-7076

CC:P&SI

Agency Contact: Lian A. Mito, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7830

RIN: 1545-AW21

2406. CAPITAL GAIN GUIDANCE RELATING TO CRTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1; 26 USC 664

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides capital gain guidance relating to

charitable remainder trusts in light of the changes made to section 1(h) of the Internal Revenue Code by the Taxpayer Relief Act of 1997.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-110896-98

Drafting attorney: Tara P. Volungis (202) 622-3080

Reviewing attorney: Mary Beth Collins (Carchia) (202) 622-3080

CC:P&SI

Agency Contact: Tara P. Volungis, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080

RIN: 1545-AW35

2407. MERCHANDISE REGULATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 471; 26 USC 7805; 26 USC 446

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation clarifies when the requirement to use inventory accounting applies. It also clarifies the definition of merchandise and provides guidance with respect to when merchandise will be regarded as an income producing factor in a taxpayer's business.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-122333-97

Drafting attorney: Cheryl L. Oseekey (202) 622-4970

Reviewing attorney: Thomas A. Luxner (202) 622-4970

Treasury attorney: Christine Turgeon (202) 622-0865

CC:IT&A

Agency Contact: Cheryl L. Oseekey, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4970

RIN: 1545-AW61

2408. REPORTING OF PAYMENTS TO ATTORNEY

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 6045

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides information reporting requirements for payments of gross proceeds made in the course of a trade or business to attorneys in connection with legal services.

Timetable:

Action	Date	FR Cite
NPRM	05/21/99	64 FR 27730
Second NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-126024-01

Drafting attorney: Sara P. Shepherd (202) 622-4960

Reviewing attorney: Michael Montermuro (202) 622-4920

Treasury attorney: Michael Novey (202) 622-1339

CC:P&A:APJP

Agency Contact: Sara P. Shepherd, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4960

RIN: 1545-AW72

2409. CONSTRUCTIVE SALES OF APPRECIATED FINANCIAL POSITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1259

CFR Citation: 26 CFR 1

Legal Deadline: None

TREAS—IRS

Proposed Rule Stage

Abstract: These regulations relate to principles for determining if a taxpayer has constructively sold an appreciated financial position.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: REG-102191-98

Drafting attorney: Kathleen Sleeth (202) 622-3920

Reviewing attorney: Alvin Kraft (202) 622-3920

Treasury attorney: Michael Novey (202) 622-1339

CC:FI&P

Agency Contact: Kathleen Sleeth, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3920

RIN: 1545-AW97

2410. RULES FOR SOURCING CERTAIN TRANSPORTATION INCOME, SPACE OR OCEAN ACTIVITY INCOME, AND RELATED FOREIGN BASE COMPANY SHIPPING INCOME

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance to shipping and aircraft companies for application of the source rules for certain income under sections 863(c) and 863(d), and for related space or ocean activity income that is also foreign-based company shipping income under section 954(f).

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-115557-98

Drafting attorney: Patricia A. Bray (202) 622-3880

Reviewing attorney: Elizabeth Karzon (202) 622-3880

Treasury attorney: Dirk Suringa (202) 622-1779

CC:INTL

Agency Contact: Patricia A. Bray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880

RIN: 1545-AX02

2411. HIGHWAY VEHICLE—DEFINITION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 48

Legal Deadline: None

Abstract: This proposed regulation provides amendments to regulations relating to definition of highway vehicle.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-103829-99

Drafting attorney: Bernard H. Weberman (202) 622-3130

Reviewing attorney: Richard Kocak (202) 622-3130

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Bernard H. Weberman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130

RIN: 1545-AX10

2412. GUIDANCE ON COST RECOVERY IN THE ENTERTAINMENT INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This proposed regulation relates to the application of the income forecast method under section 167(g) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-103823-99

Drafting attorney: Bernard P. Harvey III (202) 622-3110

Reviewing attorney: Charles B. Ramsey (202) 622-3110

Treasury attorney: Christopher Ohmes (202) 622-0865

CC:P&SI

Agency Contact: Bernard P. Harvey III, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3110

RIN: 1545-AX12

2413. STRADDLES—ONE SIDE LARGER THAN THE OTHER

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1092

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: A “straddle” occurs, for purposes of section 1092 of the Internal Revenue Code, when a taxpayer enters into two separate positions in financial instruments that “offset” each other. Positions offset each other when, taken together, they substantially diminish the taxpayer’s risk of loss. A taxpayer in a “straddle” is subject to various limitations on recognition of loss on the positions until both positions are liquidated. These regulations deal with the situation in which one position is larger than the other (that is, the diminution of the risk of loss for one position is only partial).

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

TREAS—IRS

Proposed Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-107335-99Drafting attorney: Charles W. Culmer
(202) 622-3960Reviewing attorney: Robert Williams
(202) 622-3960Treasury attorney: Viva Hammer (202)
622-0869

CC:FI&P

Agency Contact: Charles W. Culmer,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3960**RIN:** 1545–AX16**2414. DEFINITION OF ACCOUNTING METHOD****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC
446**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will clarify
the definition of a change in method
of accounting.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-105228-99Drafting attorney: Jeffery G. Mitchell
(202) 622-4970Reviewing attorney: Thomas Luxner
(202) 622-4970Treasury attorney: Christine Turgeon
(202) 622-0865

CC:IT&A

Agency Contact: Jeffery G. Mitchell,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-4970**RIN:** 1545–AX21**2415. SECTIONS 401(K) AND 410(M)
CASH OR DEFERRED
ARRANGEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation updates and
revises regulations on qualified cash or
deferred arrangements, "matching"
contributions, and employee
contributions.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-108639-99Drafting attorney: R. Lisa Mojiri-Azad
(202) 622-6080Reviewing attorney: Marjorie Hoffman
(202) 622-6030Treasury attorney: W. Thomas Reeder
(202) 622-1341

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad,
Senior Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-6080**RIN:** 1545–AX26**2416. INSPECTION OF WRITTEN
DETERMINATIONS UNDER SECTION
6110 OF THE INTERNAL REVENUE
CODE****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** This regulation amends
Treasury Regulation section 301.6110 to
include Chief Counsel Advice.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-113129-98Drafting attorney: Deborah Lambert-
Dean (202) 622-4570Reviewing attorney: Donald Squires
(202) 622-4570Treasury attorney: Elizabeth Askey
(202) 622-0224

CC:P&A:D&PL

Agency Contact: Deborah Lambert-
Dean, Attorney-Advisor, Department of
the Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
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Phone: 202 622-4570
Fax: 202 622-9888**RIN:** 1545–AX40**2417. 401(K) AND 401(M)
REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulations
update and revise regulations for cash
or deferred arrangements.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis
Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-108639-99Drafting attorney: R. Lisa Mojiri-Azad
(202) 622-6080Reviewing attorney: Marjorie Hoffman
(202) 622-6030Treasury attorney: W. Thomas Reeder
(202) 622-1341

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad,
Senior Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-6080**RIN:** 1545–AX43**2418. SECTION 7430 REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805

TREAS—IRS

Proposed Rule Stage

CFR Citation: 26 CFR 1**Legal Deadline:** None

Abstract: The proposed amendments to the Treasury Regulations incorporate the 1997 and 1998 amendments to 26 U.S.C. 7430, relating to the awarding of attorney's fees in administrative and court proceedings. The amendments to 26 U.S.C. 7430 were enacted under the Taxpayer Relief Act of 1997 and the IRS Restructuring and Reform Act of 1998.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-111833-99

Drafting attorney: Kerry H. Bryan (202) 622-7940

Reviewing attorneys: Susan T. Mosley (202) 622-7940, Henry S. Schneiderman (202) 622-7820

Treasury attorney: Rita Cavanagh (202) 622-1981

CC:PA:APJP

Agency Contact: Kerry H. Bryan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7940

RIN: 1545–AX46

2419. SECTION 414(Q) REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 414

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations provide the definition of highly compensated employee.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-111277-99

Drafting attorney: R. Lisa Mojiri-Azad (202) 622-6080

Reviewing attorney: Marjorie Hoffman (202) 622-6030

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080

RIN: 1545–AX48

2420. COMPENSATION DEFERRED UNDER ELIGIBLE SECTION 457(B) PLANS (SECTION 457 REGULATIONS)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 457

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations relate to deferred compensation plans of State and Local governments and tax-exempt entities under section 457 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: State, Local

Federalism: Undetermined

Additional Information: REG-105885-99

Drafting attorney: Cheryl E. Press (202) 622-6060

Reviewing attorney: Robert Patchell (202) 622-6060

Treasury attorney: William Bortz (202) 622-1352

CC:TEGE

Agency Contact: Cheryl E. Press, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6060
Fax: 202 622-4631

RIN: 1545–AX52

2421. MODIFICATION TO SECTION 367(A) STOCK TRANSFER REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 367

CFR Citation: 26 CFR 1; 26 CFR 602**Legal Deadline:** None

Abstract: The section 367(a) stock transfer regulations will be modified to address abuses under check-the-box and through the use of convertible stock.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-116053-99

Drafting attorney: Robert W. Lorence (202) 622-3860

Reviewing attorney: Charles Besecky (202) 622-3860

Treasury attorney: Michael Caballero (202) 622-0851

CC:INTL

Agency Contact: Robert W. Lorence, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545–AX77

2422. STATUTE OF LIMITATIONS ON COLLECTION INSTALLMENT AGREEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6331

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The purpose of this regulation is to provide for the prohibition of levy while an installment agreement is pending with the Secretary, while an installment agreement is in effect, and following the rejection or termination of an installment agreement. This levy prohibition is established in section 6331(k) of title 26, as added by the IRS Restructuring and Reform Act of 1998. The goal of the regulations is to clarify when levy is prohibited and the effect of the prohibition on the statute of limitations for collection.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

TREAS—IRS

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-104762-00

Drafting attorney: Frederick W. Schindler (202) 622-3620

Reviewing attorney: Lawrence Schattner (202) 622-3620

CC:P&A:CB&S

Agency Contact: Frederick W. Schindler, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3620**RIN:** 1545–AX89**2423. CLARIFICATION OF FOREIGN-BASED COMPANY SALES INCOME RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 954**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation clarifies when a controlled foreign corporation cannot exclude sales income from foreign-based company sales income under the manufacturing exception by reason of activities of a contract manufacturer. Likewise, the branch rule under IRC section 954(d)(2) does not apply to a contract manufacturer.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-106356-00

Drafting attorney: Valerie A. Mark Lippe (202) 622-3840

Reviewing attorney: Phyllis E. Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

Agency Contact: Valerie A. Mark Lippe, Attorney-Advisor, Department of the Treasury, Internal Revenue Service,1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840**RIN:** 1545–AX91**2424. ASSUMPTION OF PARTNERSHIP LIABILITIES****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 752**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This proposed regulation prevents the acceleration or duplication of losses through the assumption of liabilities in transactions involving partnerships.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** REG-106736-00

Drafting attorney: Horace Howells (202) 622-3050

Reviewing attorney: Shannon Cohen (202) 622-3060

Treasury attorney: Deborah Harrington (202) 622-1788

CC:P&SI

Agency Contact: Horace Howells, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3050**RIN:** 1545–AX93**2425. LIKE-KIND EXCHANGES UNDER SECTION 168****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 148; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations relate to like-kind exchanges, under section 168 of the Internal Revenue Code.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106590-00

Drafting attorney: Alan H. Cooper (202) 622-3110

Reviewing attorney: Charles Ramsey (202) 622-3110

Treasury attorney: Christopher Ohmes (202) 622-1335

CC:P&SI

Agency Contact: Alan H. Cooper, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3110**RIN:** 1545–AX95**2426. DEFINITION OF DIESEL FUEL****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 48**Legal Deadline:** None**Abstract:** The proposed regulations will revise the definition of diesel fuel.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106457-00

Drafting attorney: Frank K. Boland (202) 622-3130

Reviewing attorney: Richard Kocak (202) 622-3130

Treasury attorney: John Parcell (202) 622-2578

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Agency Contact: Frank K. Boland, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130**RIN:** 1545–AX97

TREAS—IRS

Proposed Rule Stage

2427. GUIDANCE NECESSARY TO FACILITATE ELECTRONIC TAX ADMINISTRATION**Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 6011**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None**Abstract:** This regulation will amend regulations to allow electronic filing of the Form 1040.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107184-00

Drafting attorney: Sara P. Shepherd (202) 622-4960

Reviewing attorney: John McGreevy (202) 622-4960

Treasury attorney: John Parcell (202) 622-2578

CC:P&A:APJP

Agency Contact: Sara P. Shepherd, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4960**RIN:** 1545–AY04**2428. DAMAGES UNDER SECTION 7433****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** This proposed regulation will implement a number of new provisions of section 7433, including raising the cap on damages for the intentional or reckless disregard of the Internal Revenue Code, or regulations in connection with a collection action, authorizing actions for the negligent disregard of the Code or regulations. It will provide rules with respect to administrative claims for damages caused by violations of the automatic stay and discharge provisions of the Bankruptcy Code.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107366-00

Drafting attorney: Robert A. Miller (202) 622-3640

Kevin B. Connelly (202) 622-3630

CC:P&A:CB&S

Agency Contact: Kevin B. Connelly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3630Robert A. Miller, Technical Assistant, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3640**RIN:** 1545–AY08**2429. INVESTMENT TYPE PROPERTY (PREPAYMENT)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This proposed regulation defines investment type property for purposes of determining whether bonds are arbitrage bonds under section 148 of the Internal Revenue Code.**Timetable:**

Action	Date	FR Cite
NPRM	08/25/99	64 FR 46320
Second NPRM	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local**Additional Information:** REG-105369-00

Drafting attorney: Johanna L. Som de Cerff (202) 622-3980

Reviewing attorney: Rebecca L. Harrigal (202) 622-3980

Treasury attorney: Stephen Watson (202) 622-1322

CC:TEGE

Agency Contact: Johanna L. Som de Cerff, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3980
Fax: 202 622-4437**RIN:** 1545–AY12**2430. ELECTING MARK-TO-MARKET FOR MARKETABLE STOCK OF A PFIC****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1296**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This proposed regulation describes the methods and procedures for electing mark-to-market treatment for marketable stock of a PFIC.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-112306-00

Drafting attorney: Laurie Hatten-Boyd (202) 622-3860

Reviewing attorney: Phyllis Marcus (202) 622-3840

CC:INTL

Agency Contact: Laurie M. Hatten-Boyd, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840**RIN:** 1545–AY17**2431. GUIDANCE ON CHANGES TO THE LAWS FOR CORPORATE ESTIMATED TAXES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6655**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** The proposed regulations provide guidance on changes to the law for corporate estimated taxes.

TREAS—IRS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-107722-00

Drafting attorney: Robert A. Desilets, Jr. (202) 622-4910

Reviewing attorney: Pamela W. Fuller (202) 622-4910

Treasury attorney: Christopher Ohmes (202) 622-1335

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Agency Contact: Robert A. Desilets Jr., Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545–AY22**2432. SECTION 1445 REGULATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1445; 26 USC 897**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The proposed regulation requires the use of taxpayer identifying numbers on submissions made by foreign taxpayers to reduce or eliminate tax under sections 897 and 1445 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-106876-00

Drafting attorney: Robert W. Lorence (202) 622-3860

Reviewing attorney: Charles Besecky (202) 622-3860

Treasury attorney: Michael Caballero (202) 622-0851

CC:INTL

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Fax: 202 622-4476

RIN: 1545–AY24**2433. SECTION 1503(D) REGULATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This proposed regulation will revise provisions in section 1503(d) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-106879-00

Drafting attorney: Kathryn Holman (202) 622-3860

Reviewing attorney: Michael H. Frankel (202) 622-3860

CC:INTL

Agency Contact: Kathryn T. Holman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545–AY27**2434. WITHHOLDING TAX ON FOREIGN PARTNERS' SHARE OF EFFECTIVELY CONNECTED INCOME****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 1446**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will provide guidance for partnership withholding on partners' allocable share of partnership's effectively connected income.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** REG-108524-00

Drafting attorney: David J. Sotos (202) 622-3860

Reviewing attorney: Eliana D. Dolgoff (202) 622-3860

Treasury attorney: Michael Caballero (202) 622-0851

CC:INTL

Agency Contact: David J. Sotos, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3050

RIN: 1545–AY28**2435. TAXABLE YEARS OF CFCS AND FPHCS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 898**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation will provide definitions and rules for determining the required year for CFCs and FPHCs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** REG-108523-00

Drafting attorney: Carl M. Cooper (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

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TREAS—IRS

Proposed Rule Stage

Phone: 202 622-3840

RIN: 1545–AY30

2436. IRS NPRM GUIDANCE UNDER SECTION 6050P REGARDING INFORMATION REPORTING ON CANCELLATION OF INDEBTEDNESS**Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 6050**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This proposed regulation relates to information reporting on the cancellation of indebtedness.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-107524-00

Drafting attorney: Sharon Lee Hall (202) 622-4950

Reviewing attorney: Christopher F. Kane (202) 622-4950

Treasury attorney: Michael Novey (202) 622-1339

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Phone: 202 622-4950

RIN: 1545–AY35

2437. ALLOCATION OF INCOME AND DEDUCTIONS FROM INTANGIBLES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 482**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will address the allocation of income and deductions from intangible property.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-115037-00

Drafting attorney: John M. Breen (202) 874-1490

Reviewing attorney: Anne P. Shelburne (202) 874-1490

Treasury attorney: Rocco Femia (202) 622-1755

CC:INTL

Agency Contact: John M. Breen, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza SW, Washington, DC 20224
Phone: 202 874-1490

RIN: 1545–AY38

2438. DOLLAR-VALUE LIFO**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 472; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation will provide guidance under the dollar-value last-in, first-out (LIFO) inventory method for taxpayers that define LIFO items based on components of cost.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-107580-00

Drafting attorney: Scott H. Rabinowitz (202) 622-4970

Reviewing attorney: Jeffery G. Mitchell (202) 622-4970

Treasury attorney: Christine Turgeon (202) 622-0865

CC:IT&A

Agency Contact: Scott H. Rabinowitz, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4970

RIN: 1545–AY39

2439. GUIDANCE UNDER SECTION 817A REGARDING MODIFIED GUARANTEED CONTRACTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 817A**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations will provide guidance to issuers of modified guaranteed contracts.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-248110-96

Drafting attorney: Ann H. Logan (202) 622-3970

Reviewing attorney: Donald J. Drees (202) 622-3970

CC:FI&P

Agency Contact: Ann H. Logan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3970

RIN: 1545–AY48

2440. APPLICATION OF SECTION 338 TO INSURANCE COMPANIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 148; 26 USC 7805; 26 USC 721; 26 USC 338**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations prescribe the manner in which the various provisions of subchapter L, chapter 1, subtitle A of the Internal Revenue Code apply to asset acquisitions deemed to occur by reason of a section 338 election as well as to actual acquisitions of insurance company assets subject to section 1060.**Timetable:**

Action	Date	FR Cite
NPRM	03/08/02	67 FR 10640
Public Hearing	09/18/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No

TREAS—IRS

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-118861-00

Drafting attorneys: Mark Weiss (202) 622-7790

Gary Geisler (202) 622-3970

Reviewing attorney: William D. Alexander (202) 622-7780

Treasury attorney: Audrey Nacamuli (202) 622-0869

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Phone: 202 622-3970

RIN: 1545–AY49

2441. PREVIOUSLY TAXED EARNINGS AND PROFITS UNDER SUBPART F

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 959

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will address previously taxed earnings and profits under subpart F.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG-121509-00

Drafting attorney: Kelly M. Kogan (202) 622-3810

Reviewing attorney: Phyllis Marcus (202) 622-3840

CC:INTL

Agency Contact: Kelly M. Kogan, Attorney-Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3810

RIN: 1545–AY54

2442. GUIDANCE NECESSARY TO FACILITATE ELECTRONIC TAX ADMINISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6011

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None

Abstract: This regulation amends regulations to allow electronic filing of the Form 1040.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-107184-00

Drafting attorney: Sara P. Shepherd (202) 622-4960

Reviewing attorney: John McGreevy (202) 622-4910

Treasury attorney: John Parcell (202) 622-2578

CC:P&A:APJP

Agency Contact: Sara P. Shepherd, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4960

RIN: 1545–AY56

2443. NORMAL RETIREMENT AGE FOR PENSION PLANS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: These regulations will provide guidance regarding the determination of normal retirement age in a pension plan, including a money

purchase pension plan, target benefit plan and defined benefit plan. Section 411(a)(8) defines the term normal retirement age as the earlier of: 1) the time a participant attains normal retirement age under the plan; or 2) the later of the time a plan participant attains age 65, or the 5th anniversary of the time a plan participant commenced participation in the plan. These regulations also would provide section 411(d)(6) relief for amendments that modify a pension plan's normal retirement age to conform with the proposed regulation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-125499-00

Drafting attorney: R. Lisa Mojiri-Azad (202) 622-6080

Reviewing attorney: Marjorie Hoffman (202) 622-6030

Treasury attorney: William Bortz (202) 622-1352

CC:TEGE

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RIN: 1545–AY61

2444. LIABILITIES ASSUMED IN CERTAIN CORPORATE TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 357

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These proposed regulations relate to the assumption of liabilities in certain corporate transactions under section 357 of the Internal Revenue Code. The regulations affect corporations and their shareholders.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

TREAS—IRS

Proposed Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-100818-01

Drafting attorney: Douglas C. Bates
(202) 622-7550

Reviewing attorney: Debra Carlisle
(202) 622-7550

CC:CORP

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Washington, DC 20224
Phone: 202 622-7550

RIN: 1545–AY74

2445. NORMALIZATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
167; 26 USC 168; 26 USC 46

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations relate to
the sale or deregulation of generation
assets.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:
Undetermined

Additional Information: REG-104385-01

Drafting attorney: David Selig (202)
622-3040

Reviewing attorney: Peter Friedman
(202) 622-3110

Treasury attorney: John Parcell (202)
622-2578

CC:P&SI

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Internal Revenue Service, 1111
Constitution Avenue NW, Washington,
DC 20224
Phone: 202 622-3040

RIN: 1545–AY75

**2446. QUALIFIED S ELECTION FOR
TESTAMENTARY TRUSTS**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
1361

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These proposed regulations
relate to the qualified subchapter S
election for testamentary trusts. A
testamentary trust may qualify as a
permitted shareholder of an S
corporation for a two-year period
beginning on the day the stock is
transferred to the trust. This proposed
amendment would provide that the
beneficiary of a qualifying testamentary
trust that also qualifies as a qualified
subchapter S trust (QSST) may make
a QSST election at any time up to the
end of the 16-day-and-2-month period
beginning after the two-year qualifying
period.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:
Undetermined

Federalism: Undetermined

Additional Information: REG-106431-00

Drafting attorney: Deane M. Burke (202)
622-3070

Reviewing attorney: Mary Beth Collins
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Treasury attorney: Elizabeth Askey
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CC:P&SI

Agency Contact: Deane M. Burke,
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1111 Constitution Avenue NW,
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RIN: 1545–AY76

**2447. LOW-INCOME TAXPAYER
CLINICS**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This proposed regulation will
amend the regulations pertaining to the
definition of income tax return preparer
to exclude low-income taxpayer clinics
and their volunteers when operating as
authorized by 26 U.S.C. 7526.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-115285-01

Drafting attorney: Brinton T. Warren
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Reviewing attorney: Judith M. Wall
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Treasury attorney: Julian Kim (202)
622-1981

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Agency Contact: Brinton T. Warren,
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Phone: 202 622-4940

RIN: 1545–AY84

2448. CHARITABLE LEAD INTEREST

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 2055; 26 USC
2522; 26 USC 170

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These proposed regulations
conform the regulations under sections
170, 2055, and 2522 in the decision in
Estate of Boeshore v. Commissioner,
T.C. 523 (1982) acq. in result, 1987-2
C.B. 1. The opinion found that section
20.2055-2(c)(2)(vi)(e) was invalid to the
extent that it held that an estate tax
charitable deduction was precluded
because a private unitrust interest was
payable from the trust before the
commencement of the charitable
unitrust interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:
Undetermined

Additional Information: REG-115781-01

Drafting attorney: Susan B. Hurwitz
(202) 622-3090

Reviewing attorney: George Masnik
(202) 622-3090

TREAS—IRS

Proposed Rule Stage

CC:P&SI

Agency Contact: Susan B. Hurwitz, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545–AY86

2449. DISCLOSURE OF RETURNS AND RETURN INFORMATION IN JUDICIAL AND ADMINISTRATIVE TAX PROCEEDINGS

Priority: Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 6103**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: This proposed rule relates to the disclosure of returns and return information in judicial and administrative tax proceedings pursuant to 26 U.S.C. 6103(h)(4).

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-120297-01

Drafting attorney: Stuart D. Murray (202) 622-4580

Reviewing attorney: David L. Fish (202) 622-4580

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:P&A:DPL

Agency Contact: Stuart D. Murray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4580

RIN: 1545–AY89

2450. SECTION 736(B)(3)(B)

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 736**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The proposed regulations relate to section 736(b)(3)(B), regarding

payments for interest in a partnership if the retiring or deceased partner was a general partner in the partnership.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-123382-01

Drafting attorney: James M. Gergurich (202) 622-3070

Reviewing attorney: Christine Ellison (202) 622-3070

CC:P&SI

Agency Contact: James M. Gergurich, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3070

RIN: 1545–AY90

2451. NET GIFT TREATMENT—SECTION 2519

Priority: Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 25**Legal Deadline:** None

Abstract: This proposed regulation is intended to cover the effect of gift tax entitled to be recovered by the donor, pursuant to the right of recovery under section 2207A, on the amount of the gift under section 2519 (i.e., whether the transfer is a “net gift”). The section was reserved when the regulations under section 2519 were finalized, because of uncertainty regarding whether section 2207A shifts the liability for the gift tax to the beneficiaries of the transfer. After considering the issue in conjunction with several TAMS and PLRS, we have adopted a position that section 2207A does not shift the liability for the gift tax imposed on a section 2519 transfer.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-123345-01

Drafting attorney: DeAnn K. Malone (202) 622-7830

Reviewing attorney: Melissa Liquerman (202) 622-7076

CC:P&SI

Agency Contact: DeAnn K. Malone, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7830

RIN: 1545–AY91

2452. DEFINITION OF AGENT FOR PURPOSES OF I.R.C. SECTIONS 6103(1) AND (M) AND SAFEGUARD CERTIFICATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 U.S.C 6103**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: This proposed rule relates to the definition of agent for purposes of I.R.C. sections 6103(1) and (m) and safeguard certifications.

Timetable:

Action	Date	FR Cite
NPRM	02/01/02	67 FR 4938
NPRM Comment Period End	05/02/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** State, Federal, Local**Additional Information:** REG-120135-01

Drafting attorney: Helene R. Newsome (202) 622-4580

Reviewing attorney: David L. Fish (202) 622-4580

CC:P&A:D&PL

Agency Contact: Helene R. Newsome, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4580

RIN: 1545–AY94

TREAS—IRS

Proposed Rule Stage

2453. TERMINATION OF QSUB ELECTION**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 1361; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides revised examples under section 1.1362-5(c)(3) relating to corporations terminating QSub elections.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** REG-126859-01

Drafting attorney: Pietro Emile Canestrelli (202) 622-3484

Reviewing attorney: Jeanne Sullivan (202) 622-3070

CC:P&SI

Agency Contact: Pietro Emile Canestrelli, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3484**RIN:** 1545–AY95**2454. REGULATIONS UNDER SECTIONS 6662 AND 6664 REGARDING TAX SHELTER PENALTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6662; 26 USC 6664**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** The proposed regulations relate to sections 6662 and 6664 regarding tax shelter penalties. The project has arisen in connection with the revision to Circular 230.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-126016-01

Drafting attorney: Brinton T. Warren (202) 622-4940

Reviewing attorney: Richard S. Goldstein (202) 622-7820

CC:P&A:AP JP

Agency Contact: Brinton T. Warren, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4940**RIN:** 1545–AY97**2455. EXPENDITURES IN CONNECTION WITH THE CREATION OF INTANGIBLE ASSETS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 263**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulations provide guidance on the treatment of costs incurred in connection with the creation of an intangible asset.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-125638-01

Drafting attorney: Andrew J. Keyso, Jr. (202) 622-4950

Reviewing attorney: Robert Casey (202) 622-4950

Treasury attorney: Jodi Cohen (202) 622-0160

CC:IT&A

Agency Contact: Andrew J. Keyso Jr., Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4950**RIN:** 1545–BA00**2456. TITLE—ALLOCATION AND APPORTIONMENT OF INTEREST EXPENSE****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 864**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This rule provides guidance with respect to methods of apportioning interest expense under section 864(e) of the Code.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-129447-01

Drafting attorney: Melissa D. Arndt (202) 622-3850

Reviewing attorney: Anne Devereaux (202) 622-3850

Treasury attorneys: Michael Caballero (202) 622-0851, John Harrington (202) 622-0589

CC:INTL

Agency Contact: Melissa D. Arndt, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850**RIN:** 1545–BA02**2457. MERGERS INVOLVING DISREGARDED ENTITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 368**Legal Deadline:** None**Abstract:** The proposed rules will provide guidance concerning the requirements to be met in order for a merger or consolidation to qualify as a reorganization under section 368(a)(1)(A). They will also address whether certain mergers involving disregarded entities can qualify as reorganizations under section 368(a)(1)(A).**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

TREAS—IRS

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-126485-01

Drafting attorneys: Reginald Mombrun (202) 622-7750, Marlene Oppenheim (202) 622-7770

Reviewing attorney: Mark S. Jennings (202) 622-7770

Treasury attorney: Audrey Nacamuli (202) 622-5721

CC:CORP

Agency Contact: Reginald Mombrun, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224
Phone: 202 622-7750

Marlene P. Oppenheim, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224
Phone: 202 622-7750

RIN: 1545-BA06

2458. NOTICE OF SIGNIFICANT REDUCTION IN THE RATE OF FUTURE BENEFIT ACCRUAL**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 4980**CFR Citation:** 26 CFR 1; 26 CFR 54; 26 CFR 602**Legal Deadline:** None

Abstract: The proposed regulations will update the regulations currently in section 1.411(d) for changes made as a result of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). EGTRAA amends ERISA section 204(h) and adds section 4980F to the Code. Section 4980F imposes an excise tax for failure to satisfy notice requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-136193-01

Drafting attorney: Janet A. Laufer (202) 622-6090

Treasury attorney: William Bortz (202) 622-6090

CC:TEGE

Agency Contact: Janet A. Laufer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6090
Fax: 202 622-4084

RIN: 1545-BA08

2459. REDUCTIONS OF ACCRUALS AND ALLOCATIONS BECAUSE OF INCREASED AGE**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 411; 26 USC 411**CFR Citation:** 26 CFR 1**Legal Deadline:** Final, Statutory, February 1, 1988.

Abstract: These regulations will prescribe rules regarding the requirement that accruals and allocations under qualified retirement plans cannot be reduced because of the attainment of any age.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations**Government Levels Affected:** None**Additional Information:** REG-209500-86

Drafting attorney: Linda S.F. Marshall (202) 622-6090

Reviewing attorney: Marjorie Hoffman (202) 622-6090

Treasury attorney: Harlan Weller (202) 622-1001

CC:TEGE

Agency Contact: Linda S.F. Marshall, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6090

RIN: 1545-BA10

2460. GUIDANCE UNDER SECTION 1502 REGARDING TRANSACTIONS INVOLVING OBLIGATIONS OF CONSOLIDATED GROUP MEMBERS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The proposed regulations are in regard to intercompany obligations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** Undetermined**Additional Information:** REG-107592-00

Drafting attorney: Heather Johnson (202) 622-7750

Reviewing attorney: Michael J. Wilder (202) 622-7750

Treasury attorney: Audrey Nacamuli (202) 622-5721

CC:CORP

Agency Contact: Heather Johnson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7750

RIN: 1545-BA11

2461. GUIDANCE REGARDING THE TREATMENT BY A CORPORATION OF FINANCIAL INSTRUMENTS BASED ON THE VALUE OF THAT CORPORATION'S STOCK**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The proposed regulations being considered would provide guidance regarding the application of section 1032 with respect to financial instruments based on the value of the corporation's stock.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

TREAS—IRS

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-139865-01

Drafting attorney: Krishna Vallabhaneni (202) 622-7550

CC:CORP

Agency Contact: Krishna Vallabhaneni, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224
Phone: 202 622-7550

RIN: 1545–BA12

2462. DEDUCTIBILITY OF EMPLOYER CONTRIBUTIONS FOR DEFERRED COMPENSATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will update and clarify the general rules for deductibility of employer contributions to qualified retirement plans and other deferred compensation arrangements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-139449-01

Drafting attorney: Linda S.F. Marshall (202) 622-6090

Reviewing attorney: Mark Schwimmer (202) 622-6090

Treasury attorney: Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: Linda S.F. Marshall, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6090

RIN: 1545–BA13

2463. CONTINUATION OF A CONSOLIDATED GROUP UNDER 1.1502-75

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation project addresses issues related to the continuation of consolidated groups under 1.1502-75.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-126022-01

Drafting attorney: Christopher M. Bass (202) 622-7770

CC:CORP

Agency Contact: Christopher M. Bass, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7770

RIN: 1545–BA14

2464. CONSOLIDATED RETURNS; INVESTMENT ADJUSTMENTS INVOLVING PREFERRED STOCK

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The proposed regulations makes amendments to section 1.1502-32(c) of the consolidated return regulations dealing with the allocation of stock basis adjustments between common and preferred stock.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-141652-01

Drafting attorney: Thomas I. Russell (202) 622-7930

Reviewing attorney: Steve Hankin (202) 622-7930

CC:CORP

Agency Contact: Thomas I. Russell, Attorney-Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7930

RIN: 1545–BA15

2465. COUNTING 2100 NOTICES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 3406

CFR Citation: 26 CFR 31

Legal Deadline: None

Abstract: The regulations will amend the rule for determining the number of notices a payer received from the Internal Revenue Service for purposes of determining whether a payer must impose backup withholding pursuant to section 31.3406(d).

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-116644-01

Drafting attorney: Nancy L. Rose (202) 622-4910

Reviewing attorney: Pamela W. Fuller (202) 622-4910

Treasury attorney: Jodi Cohen (202) 622-0160

CC:P&A:APJP

Agency Contact: Nancy L. Rose, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545–BA18

2466. AMENDING 301.6334-1, PROPERTY EXEMPT FROM LEVY

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6334

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The purpose of this regulation is to describe the judicial procedures for approval of a principal residence seizure, pursuant to I.R.C. sections 6334(a)(13)(B)(i) and 6334(e)(1).

TREAS—IRS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-140378-01Drafting attorney: Robin M. Ferguson
(202) 622-3610Reviewing attorney: Alan Levine (202)
622-3610

CC:P&A:CB&S

Agency Contact: Robin M. Ferguson,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3610**RIN:** 1545–BA22**2467. UNIT LIVESTOCK PRICING
METHOD****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 471; 26 USC
7805**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** The proposed regulation
reexamines requirements to annually
reevaluate and upwardly adjust unit
livestock prices.**Timetable:**

Action	Date	FR Cite
NPRM	02/04/02	67 FR 5074
Public Hearing	06/12/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-125626-01Drafting attorney: A. Katharine Kiss
(202) 622-4930Reviewing attorney: Jeffery G. Mitchell
(202) 622-4930

CC:IT&A

Agency Contact: A. Katharine Kiss,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224

Phone: 202 622-4930

RIN: 1545–BA25**2468. APPLICATION OF THE
FEDERAL INSURANCE
CONTRIBUTIONS ACT, FEDERAL
UNEMPLOYMENT TAX ACT AND
COLLECTION OF INCOME TAX AT
SOURCE TO STATUTORY STOCK
OPTIONS****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 3101; 26 USC
3111; 26 USC 3121; 26 USC 3301; 26
USC 3306; 26 USC 3401; 26 USC 3402;
26 USC 7805**CFR Citation:** 26 CFR 31**Legal Deadline:** None**Abstract:** The regulations under
sections 424, 3121, 3306, 3401
contained in the Notice of Proposed
Rulemaking clarify the application of
the Federal Insurance Contributions Act
(FICA), Federal Unemployment Tax Act
(FUTA), and the Collection of Income
Tax at Source to statutory stock
options; i.e., incentive stock options
under section 422 (ISOs) and options
granted under employee stock purchase
plans under section 423 (ESPP options).
The proposed regulations provide that
at the time of the exercise of a statutory
stock option, the individual who was
granted the statutory stock option
receives wages for FICA and FUTA
purposes. The proposed regulations
also provide that the amount of wages
received equals the excess of the fair
market value of the stock acquired
pursuant to the exercise of the statutory
stock option over the amount paid for
the stock. The proposed regulations
also provide that income tax
withholding is not required when an
individual exercises a statutory stock
option because no income is recognized
at the time of exercise by reason of
section 421(a)(1).**Timetable:**

Action	Date	FR Cite
NPRM	11/13/01	66 FR 57023
Public Hearing	05/14/02	67 FR 5076
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-142686-01Drafting attorney: Stephen B. Tackney
(202) 622-6040Reviewing attorney: Michael A. Swim
(202) 622-6040Treasury attorney: Bill Bortz (202) 622-
1352

CC:TEGE

Agency Contact: Stephen B. Tackney,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-6040**RIN:** 1545–BA26**2469. GASOLINE TAX CLAIMS UNDER
SECTION 6416(A)(4)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 48**Legal Deadline:** None**Abstract:** The proposed regulation will
provide guidance regarding claims for
credit or refund of the gasoline tax
under section 6416(a)(4) of the Internal
Revenue Code.**Timetable:**

Action	Date	FR Cite
ANPRM	10/23/01	66 FR 53564
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses,
Governmental Jurisdictions**Government Levels Affected:** State,
Local, Tribal**Additional Information:** REG-143219-01Drafting attorney: Frank K. Boland
(202) 622-3130

CC:P&SI

Agency Contact: Frank K. Boland,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3130**RIN:** 1545–BA27

TREAS—IRS

Proposed Rule Stage

2470. • SUSPENSION OF STATUTES OF LIMITATION IN JOHN DOE AND THIRD PARTY SUMMONS DISPUTES AND EXPANSION OF TAXPAYERS' RIGHTS TO RECEIVE NOTICE AND SEEK JUDICIAL REVIEW OF THIRD PARTY SUMMONSES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The proposed regulation provides guidance regarding modified rules for serving summonses on third-party recordkeepers, the broadened range of summonses subject to the notice requirements, and the suspension of limitations periods when court actions are brought or when a summoned third party fails to fully respond to a summons. This proposed regulation incorporates the changes enacted in RRA 1998, OBRA 1990, TAMRA 1988, and TRA 1986. This regulation is a continuation of the regulation project previously numbered at REG-208225-88.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-153037-01

Drafting attorney: Elizabeth D. Rawlins (202) 622-3630

Reviewing attorney: Robert A. Miller (202) 622-3630

CC:P&A:CB&S

Agency Contact: Elizabeth D. Rawlins, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3630

RIN: 1545–BA31**2471. • AMENDMENTS TO RULES FOR ALLOCATION OF BASIS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 755**CFR Citation:** 26 CFR 755**Legal Deadline:** None

Abstract: The proposed regulation amends the regulations under section 755 (Section 1.755-1) in order to better coordinate with recent revisions to section 1.755-2.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-155345-01

Drafting attorney: Craig A. Gerson (202) 622-3050

Reviewing attorney: Mathew Lay (202) 622-3050

Treasury attorney: Deborah Harrington (202) 622-1788

CC:PS&I

Agency Contact: Craig A. Gerson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3050

RIN: 1545–BA32**2472. • GUIDANCE REGARDING FOREIGN PERSONAL HOLDING COMPANY INCOME**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined**Legal Authority:** 26 USC 7805; 26 USC 954(h)(8)**CFR Citation:** 26 CFR 1.954-2(f); 26 CFR 1.954-2(g)**Legal Deadline:** None

Abstract: These proposed regulations relate to the definition of foreign personal holding company income in the case of gain or loss arising from certain commodities hedging transactions and in the case of currency gain or loss arising from certain interest-bearing liabilities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:**

Undetermined

Additional Information: REG-154920-01

Drafting attorneys: Theodore Setzer (202) 622-3870, Kenneth P. Christman (202) 622-3870.

Reviewing attorney: Jeffrey Dorfman (202) 622-3870.

Treasury attorney: Patrick Brown: (202) 622-1754.

CC:INTL

Agency Contact: Kenneth P. Christman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3870

RIN: 1545–BA33**2473. • 1.32-2 EARNED INCOME CREDIT****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation removes 26 CFR 1.32-2 because of legislative changes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-135061-01

Drafting attorney: Karin Loverud (202) 622-6060

Reviewing attorney: Mark Schwimmer (202) 622-6080

CC:TEGE

Agency Contact: Karin Loverud, Tax Law Specialist, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6060

RIN: 1545–BA34

TREAS—IRS

Proposed Rule Stage

2474. • DISCLOSURES OF RETURN INFORMATION TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE FOR CERTAIN STATISTICAL PURPOSES AND RELATED ACTIVITIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6103**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: This proposed rule is on disclosure of telephone number from Form 1040/Schedule F to officers and employees of the Department of Agriculture for certain statistical purposes and related activities pursuant to 6103(j)(5) of the Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-156293-01

Drafting attorney: Joseph E. Conely (202) 622-4580

Reviewing attorney: David Fish (202) 622-4580

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:P&A:DP&L

Agency Contact: Joseph E. Conely, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4580

RIN: 1545-BA35**2475. • INCOME FROM SOURCES WITHIN SPECIFIED POSSESSION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 931; 26 USC 911**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will remove the reference to section 911 in the section 931 regulations and update the definition of a possession under those regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-159068-01

Drafting attorney: Kate Y. Hwa (202) 622-3840

Reviewing attorney: Phyllis E. Marcus (202) 622-3840

Treasury attorney: Michael Mundaca (202) 622-1752

CC:INTL

Agency Contact: Kate Y. Hwa, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-BA37**2476. • TREATMENT OF CERTAIN OBLIGATION-SHIFTING TRANSACTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 864(c)(6); 26 USC 7701(e)**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation proposes a rule that applies to a single taxpayer engaging in certain tax-motivated obligation-shifting transfers to prevent tax avoidance. Similar multi-party tax avoidance techniques are addressed by Property Treasury Regulation section 1.7701(i)-2 (1996). This regulation also would modify a rule in the proposed regulation dealing with certain related-party transfers that might, in its present form, present opportunities for tax avoidance.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-160799-01

Drafting attorney: Jeffrey L. Vinnik (202) 622-3840

Reviewing attorney: Roger Brown (202) 622-3800

Treasury attorney: Rocco Femia (202) 622-1755

CC:INTL

Agency Contact: Jeffrey L. Vinnik, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-BA41**2477. • INFORMATION REPORTING FOR QUALIFIED TUITION AND RELATED EXPENSES; MAGNETIC MEDIA FILING REQUIREMENTS FOR INFORMATION RETURNS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6050; 26 USC 6011(e)**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None

Abstract: This proposed regulation provides guidance to eligible educational institutions that enroll any individual for any academic period.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-161424-01

Drafting attorney: Donna J. Welch (202) 622-4910

Reviewing attorney: John McGreevy (202) 622-4910

Treasury attorney: Susan Brown (202) 622-0999

CC:P&A:APJP

Agency Contact: Donna J. Welch, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910
Fax: 202 927-9248

RIN: 1545-BA43**2478. • SPLIT-DOLLAR LIFE INSURANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 7872**CFR Citation:** 26 CFR 1**Legal Deadline:** None

TREAS—IRS

Proposed Rule Stage

Abstract: This proposed regulation provides guidance under sections 7872, 61, and 83 on the taxation of split-dollar life insurance arrangements pursuant to Notice 2001-10 and Notice 2002-8.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-164754-01

Drafting attorney: Rebecca E. Asta (202) 622-3940

Reviewing attorney: David Silber (202) 622-3524

Treasury attorney: Mike Novey (202) 622-1339

CC: FI&P

Agency Contact: Rebecca E. Asta, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3940

RIN: 1545-BA44

2479. • MULTI-FAMILY HOUSING BONDS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These are rules regarding various issues with respect to multi-family housing bonds.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: State, Local

Federalism: Undetermined

Additional Information: REG-163765-01

Drafting attorney: Rose M. Weber (202) 622-3353

Reviewing attorney: Bruce M. Serchuk (202) 622-3980

Treasury attorney: Stephen J. Watson (202) 6622-1322

CC:TEGE

Agency Contact: Rose M. Weber, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3980
Fax: 202 622-4437

RIN: 1545-BA45

2480. • AMENDMENT TO THE DEFINITION OF REFUNDING AND CONTROLLED GROUP

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The proposed regulation would amend the definition of a refunding issue applicable to tax-exempt bonds issued by States and local governments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Additional Information: REG-165706-01

Drafting attorney: Michael P. Brewer (202) 622-3980

Reviewing attorney: Bruce Serchuk (202) 622-3980

CC:TEGE

Agency Contact: Michael P. Brewer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3980

RIN: 1545-BA46

2481. • SECTION 419A GUIDANCE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 419A

Legal Deadline: None

Abstract: This proposed regulation provides special rules concerning employer deductions for contributions to employee welfare benefit funds.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-165868-01

Drafting attorney: Betty J. Clary (202) 622-6080

Reviewing attorney: Mark Schwimmer (202) 622-6080

Treasury attorney: Harlan Weller (202) 622-1001

CC:TEGE

Agency Contact: Betty J. Clary, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080

RIN: 1545-BA47

2482. • DETERMINATION OF BASIS OF PARTNER'S INTEREST; SPECIAL RULES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: These proposed regulations will provide the appropriate basis adjustment under section 705 in certain situations in which a corporation has a direct or indirect interest in a partnership that owns stock in that corporation where the partnership distributes money or other property to another partner and that partner recognizes gain on the distribution during a year in which the partnership does not have an election under section 754 in effect, and the partnership subsequently sells or exchanges the stock.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-167648-01

Drafting attorney: Barbara MacMillan (202) 622-3050

TREAS—IRS

Proposed Rule Stage

Reviewing attorney: David Haglund
(202) 622-3050

Treasury attorney: Stephanie Robinson
(202) 622-9858

CC:PS&I

Agency Contact: Barbara MacMillan,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3050

RIN: 1545–BA50

2483. • LOSS LIMITATION RULES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 337(d)

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None

Abstract: The proposed regulations provide guidance on the treatment of certain losses recognized on sales of subsidiary stock by members of a consolidated group under section 337(l)(d) and section 1502 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	10/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG-102740-02

Drafting attorney: Lola L. Johnson (202) 622-7550

Reviewing attorney: Sean P. Duffley
(202) 622-7770

CC:CORP

Agency Contact: Lola L. Johnson,
Attorney-Advisor, Department of the
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1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-7550

RIN: 1545–BA52

2484. • PARTNERSHIP OPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 704; 26 USC 721

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This proposed regulation provides tax treatment of partnership options.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG-103580-02

Drafting attorney: Audrey W. Ellis (202) 622-3188

Reviewing attorneys: Matthew Lay
(202) 622-3060, Jeanne Sullivan (202) 622-3060

Treasury attorney: Deborah Harrington
(202) 622-1788

CC:P&SI

Agency Contact: Audrey W. Ellis,
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1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3188

RIN: 1545–BA53

2485. • USER FEES FOR OFFERS TO COMPROMISE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 31 USC 9701

CFR Citation: 26 CFR 300

Legal Deadline: None

Abstract: The regulations relating to user fees would be amended to provide for the imposition of user fees for processing and acceptance of offers to compromise. The charging of user fees implements the Independent Offices Appropriations Act, 31 U.S.C. 9701.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-103777-02

Drafting attorney: Gene W. Beard (202) 622-3620

Reviewing attorney: Larry H. Schattner
(202) 622-3620

Treasury attorney: Jodi Cohen (202) 622-0160

CC:P&A:CB&S

Agency Contact: Gene W. Beard,
Attorney-Advisor, Department of the
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1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3620

RIN: 1545–BA54

2486. • COMPENSATORY STOCK OPTIONS UNDER SECTION 482

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 482

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These proposed regulations will provide rules for treatment of stock options with regard to qualified cost sharing arrangements, non-integral services, and other section 482 purposes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-106359-02

Drafting attorney: Douglas L. Giblen
(202) 874-1490

Reviewing attorney: Elizabeth G. Beck
(202) 874-1895

Treasury attorney: Rocco Femia (202) 622-1755

CC:INTL

Agency Contact: Douglas L. Giblen,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service, 950
L'Enfant Plaza SW, Washington, DC
20024

Phone: 202 874-1490

RIN: 1545–BA57

2487. • MODIFICATION OF CHECK THE BOX (TEMPORARY)

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

TREAS—IRS

Proposed Rule Stage

CFR Citation: 26 CFR 1; 26 CFR 301**Legal Deadline:** None

Abstract: The “Modification of Check the Box” regulations will add a new section to the 301.7701-2 regulations to provide that in certain circumstances, namely State law mergers and conversions, a surviving disregarded entity will be regarded for purposes of assessment and collection of prior year tax liabilities of predecessor entities. Thus, following a transaction in which a regarded entity is merged or converted into a disregarded entity, the Commissioner will be able to exercise collection and assessment authority against the disregarded entity for any liabilities stemming from tax periods of the regarded entity prior to the date of the transaction.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined**Additional Information:** REG-106681-02

Drafting attorney: James M. Gergurich (202) 622-3070

Reviewing attorney: Jeanne Sullivan (202) 622-3070

Treasury attorney: Stephanie Robinson (202) 622-9858

CC:PSI

Agency Contact: James M. Gergurich, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3070

RIN: 1545–BA58**2488. • MODIFICATION OF CHECK THE BOX****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None

Abstract: The “Modification of Check the Box” will add a new section to the 301.7701-2 regulations to provide that in certain circumstances, namely State law mergers and conversions, a

surviving disregarded entity will be regarded for purposes of assessment and collection of prior year tax liabilities of predecessor entities. Thus, following a transaction in which a regarded entity is merged or converted into a disregarded entity, the Commissioner will be able to exercise collection and assessment authority against the disregarded entity for any liabilities stemming from tax periods of the regarded entity prior to the date of the transaction.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined**Additional Information:** REG-106681-02

Drafting attorney: James M. Gergurich (202) 622-3070

Reviewing attorney: Jeanne Sullivan (202) 622-3070

Treasury attorney: Stephanie Robinson (202) 622-9858

CC:PSI

Agency Contact: James M. Gergurich, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3070

RIN: 1545–BA59**2489. • REQUIRED DISTRIBUTIONS FROM RETIREMENT PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 401(a)(9)**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This proposed rule relates to required minimum distributions from defined benefit plans and annuity contracts.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-108697-02

Drafting attorney: Cathy A. Vohs (202) 622-6090

Reviewing attorney: Marjorie Hoffman (202) 622-6000

CC:TEGE

Agency Contact: Cathy A. Vohs, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6090

Related RIN: Related To 1545-AY69, Related To 1545-AY70

RIN: 1545–BA60**2490. • ABATEMENT OF INTEREST ON LARGE ERRONEOUS REFUNDS**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined**Legal Authority:** 26 USC 6404(e)**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: This proposed regulation will provide rules which address whether the Internal Revenue Service may abate interest on an erroneous refund exceeding \$50,000 pursuant to I.R.C. section 6404(e) (26 U.S.C. 6404(e)).

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined**Additional Information:** REG-167500-01

Drafting attorney: David A. Abernathy (202) 622-7940

Reviewing attorney: Richard Goldman (202) 622-7940

CC:P&A:AP JP

Agency Contact: David A. Abernathy, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7940

RIN: 1545–BA61

TREAS—IRS

Proposed Rule Stage

2491. • MODIFICATION OF TAX SHELTER RULES III**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6011; 26 USC 6111; 26 USC 6112**CFR Citation:** 26 CFR 1; 26 CFR 301; 26 CFR 602**Legal Deadline:** None**Abstract:** These proposed regulations provide the public with additional guidance to comply with the disclosure rules under section 6011(a), the registration requirement under section 6111(d), and the list maintenance requirement under section 6112 applicable to tax shelters.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-103735-00, 103736-00, 110311-98

Drafting attorney: Danielle M. Grimm (202) 622-3043

Reviewing attorney: Christine Ellison (202) 622-3070

CC:P&SI

Agency Contact: Danielle M. Grimm, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080**RIN:** 1545–BA62**2492. • PRIMARY PROFIT MOTIVE UNDER SECTION 165(C)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 165(c)**CFR Citation:** 26 CFR 1.165-1(c)**Legal Deadline:** None**Abstract:** This proposed regulation will clarify that individual taxpayers must have a primary profit motive for a transaction resulting in a tax loss.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-113148-02

Drafting attorney: Glenn N. Bogdonoff (202) 622-4950

Reviewing attorney: Robert M. Casey (202) 622-4950

CC:IT&A

Agency Contact: Glenn N. Bogdonoff, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4950**RIN:** 1545–BA63**2493. • ALLOCATION AND APPORTIONMENT RULES: GUIDANCE ON SELECTED ISSUES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 863**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides guidance with respect to the allocation and apportionment under section 861 of selected deductions, e.g., charitable contributions and research and experimentation expenses.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-128240-01

Drafting attorney: Teresa B. Hughes (202) 622-3850

Reviewing attorney: Anne Devereaux (202) 622-3850

CC:INTL

Agency Contact: Teresa B. Hughes, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850**RIN:** 1545–BA64**2494. • PROVISIONS REGARDING CROSS-BORDER TRANSACTIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 368(a)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This proposed regulation will make conforming changes to account for cross-border section 368(a)(1)(A) mergers.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-125628-01

Drafting attorney: Robert W. Lorence (202) 622-3860

Reviewing attorney: Charles Besecky (202) 622-3860

CC:INTL

Agency Contact: Robert W. Lorence, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860**RIN:** 1545–BA65**2495. • MODIFICATION OF TAX SHELTER RULES III****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6662; 26 USC 6664**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations provide the public with guidance needed to comply with the exceptions in section 6664 to the penalties for negligence or intentional disregard of the rules and regulations and substantial understatement of tax under section 6662.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis**Required:** No

TREAS—IRS

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-113434-02

Drafting attorney: Richard S. Goldstein (202) 622-7820

Reviewing attorney: George E. Bowden (202) 622-3400

Treasury attorney: Eric Solomon (202) 622-0868

CC:P&A:AP JP

Agency Contact: Richard S. Goldstein, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7820

RIN: 1545–BA66

2496. • MODIFICATION OF TAX SHELTER RULES III (TEMPORARY)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6662; 26 USC 6664

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These temporary regulations provide the public with guidance needed to comply with the exceptions in section 6664 to the penalties for negligence or intentional disregard of the rules and regulations and substantial understatement of tax under section 6662.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-113434-02

Drafting attorney: Richard S. Goldstein (202) 622-7820

Reviewing attorney: George E. Bowden (202) 622-3400

Treasury attorney: Eric Solomon (202) 622-0869

CC:P&A:AP JP

Agency Contact: Richard S. Goldstein, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7820

RIN: 1545–BA67

Department of the Treasury (TREAS) Internal Revenue Service (IRS)

Final Rule Stage

2497. INCOME TAX—TAXPAYER'S OBLIGATION TO FILE A NOTICE OF REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 905; 26 USC 6689

CFR Citation: 26 CFR 1; 26 CFR 301; 26 CFR 602

Legal Deadline: None

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. In addition, the regulations set forth deadlines for compliance with the notification requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/23/88	53 FR 23659
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-209020-86 (INTL-061-86)

Drafting attorney: Margaret A. Hogan (202) 622-3850

Reviewing attorney: Bethany Ingwalson (202) 622-3850

CC:INTL

Agency Contact: Margaret A. Hogan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850

RIN: 1545–AC09

2498. INCOME TAX—RECIPROCAL EXEMPTIONS FOR CERTAIN TRANSPORTATION INCOME

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 883; 26 USC 872

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide rules with respect to whether a foreign country will be considered to grant a reciprocal Aircraft/Shipping exemption to U.S. corporations for purposes of section 883 of the Code, or to U.S. citizens for purposes of section 872 of the Code. This regulation will also provide rules with respect to whether a foreign corporation satisfies the ownership requirements of section 883(c) and the activity requirements of section 883(a).

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6065
Public Hearing	06/08/00	65 FR 6065
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-208280-86 (INTL-948-86)

Drafting attorney: Patricia A. Bray (202) 622-3880

Reviewing attorney: Elizabeth Karzon (202) 622-3880

Treasury attorney: Dirk Suringa (202) 622-1779

CC:INTL

Agency Contact: Patricia A. Bray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880

RIN: 1545–AJ57

TREAS—IRS

Final Rule Stage

2499. REGULATIONS UNDER SECTION 367 TO REFLECT SECTION 131 OF THE TAX REFORM ACT OF 1984 (PUB. L. 98-369)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 367**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The income tax regulations under section 367 will be amended to reflect the changes made to that section by the Tax Reform Act of 1984. Section 367 now provides generally that a foreign corporation will not be considered to be a corporation, for purposes of certain nonrecognition provisions of the Code, upon the transfer of property to such corporation by a U.S. person. The statute provides certain exceptions to that rule, exemptions to those exceptions, and special rules applicable to certain specified transfers. The regulations will provide guidance concerning the applicability of the general rule and its exceptions and special rules, including guidance concerning transfers of assets for use in the active conduct of a trade or business, stock transfers, transfers of intangible assets, and transfers of branch operations that have operated at a loss.

Timetable:

Action	Date	FR Cite
NPRM	05/16/86	51 FR 17990
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-209042-86 (INTL-610-86)

Drafting attorney: Michael H. Frankel (202) 622-3860

Reviewing attorney: Charlie Besecky (202) 622-3860

CC:INTL

Agency Contact: Michael H. Frankel, Senior Technical Reviewer, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545-AK74**2500. NONRECOGNITION OF CORPORATE DISTRIBUTIONS AND REORGANIZATIONS UNDER THE FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 897**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations will provide rules concerning the effect of certain distributions including dividends, redemptions, distributions pursuant to reorganizations, and liquidations on corporations and their shareholders under the Foreign Investment in Real Property Tax Act. Regulations will also provide rules for determining the extent to which nonrecognition would apply to certain transfers of real property interests and the extent to which certain reorganizations will be treated as sales of property at fair market value.

Timetable:

Action	Date	FR Cite
NPRM	05/05/88	53 FR 16233
Hearing	03/01/89	54 FR 1189
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-209039-87 (INTL-491-87)

Drafting attorney: Robert W. Lorence (202) 622-3860

Reviewing attorney: Charles P. Besecky (202) 622-3860

CC:INTL

Agency Contact: Robert W. Lorence, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545-AK79**2501. LIMITATIONS ON PASSIVE ACTIVITY LOSSES AND CREDITS—SELF-CHARGED ITEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 0469**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The proposed regulation addresses the treatment of self-charged items of income and expense in connection with transactions between passthrough entities and owners of interests in those entities.

Timetable:

Action	Date	FR Cite
NPRM	04/05/91	56 FR 14034
Hearing	09/06/91	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-209365-89 (PS-39-89)

Drafting attorney: Danielle M. Grimm (202) 622-3080

Reviewing attorney: Jeanne Sullivan (202) 622-3080

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

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Phone: 202 622-3080

RIN: 1545-AN64**2502. EARNINGS STRIPPING PAYMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This proposed regulation addresses the deductibility of interest under section 163 being limited when paid by a corporation to related persons not subject to U.S. tax.

Timetable:

Action	Date	FR Cite
NPRM	06/18/91	56 FR 27907
Hearing	09/25/91	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-209059-89 (INTL-870-89)

TREAS—IRS

Final Rule Stage

Drafting attorney: Milton M. Cahn (202) 622-3870

Reviewing attorney: Jeffrey L. Dorfman (202) 622-3870

CC:INTL

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RIN: 1545-AO24

2503. FRINGE BENEFIT SOURCING UNDER SECTION 861

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 861

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will address the circumstances in which an allocation of income of an individual for the performance of services, both within and outside the United States, is appropriately made only on the time basis.

Timetable:

Action	Date	FR Cite
NPRM	01/21/00	65 FR 3402
Public Hearing	07/18/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-208254-90 (INTL-107-90)

Drafting attorney: David F. Bergkuist (202) 622-3850

Reviewing attorney: Anne Devereaux (202) 622-3850

CC:INTL

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RIN: 1545-AO72

2504. SECTION 1.163-1(B)(2)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 165

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation project will finalize all outstanding proposed regulations under section 1.163-1(b)(2).

Timetable:

Action	Date	FR Cite
NPRM	01/21/93	58 FR 5316
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-208245-90 (INTL-115-90)

Drafting attorney: Carl M. Cooper (202) 622-3840

Reviewing attorney: Valerie A. Mark (202) 622-3840

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RIN: 1545-AP33

2505. INTEREST-FREE ADJUSTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6205

CFR Citation: 26 CFR 31

Legal Deadline: None

Abstract: Under section 6205(a)(1) of the Code, if less than the correct amount of tax imposed under the FICA, the RRTA, or the income tax withholding provisions is paid with respect to any payment of wages or compensation, proper adjustments with respect to both the tax and amount to be deducted must be made without interest in such manner and in such times as the Secretary may by regulations prescribe. The proposed amendments would add language to clarify that an interest-free adjustment can be made in certain situations in which the error is ascertained before the appropriate return is filed. The proposed amendments are intended to apply only to situations in which no return was filed because the employer improperly failed to treat its workers as employees.

Timetable:

Action	Date	FR Cite
NPRM	12/10/92	57 FR 58423
NPRM Comment Period End	02/08/93	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-209538-92 (EE-12-92)

Drafting attorney: Karin Loverud (202) 622-6060

Reviewing attorney: Mary Oppenheimer (202) 622-6010

CC:TEGE

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Phone: 202 622-6060

RIN: 1545-AQ61

2506. DEFINITION OF "HIGHLY COMPENSATED EMPLOYEE"

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 414

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations define the term "highly compensated employee" under section 414(q) of the Code. Temporary and proposed regulations, under sections 414(q) and 414(s), were published February 19, 1988 (53 FR 4965). Final regulations, under section 414(s), were published September 19, 1991 (56 FR 47659) under project EE-129-86. The regulations under 414(q) were split off from project EE-129-86. It is anticipated that final regulations under section 414(q) will be published in the future under project REG-209558-92 (EE-32-92).

Timetable:

Action	Date	FR Cite
NPRM	02/19/88	53 FR 4999
NPRM Comment Period End	04/19/88	
Partially Closed by TD 8548	06/27/94	59 FR 32911
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

TREAS—IRS

Final Rule Stage

Small Entities Affected: No**Government Levels Affected:** State, Local**Federalism:** Undetermined**Additional Information:** REG-209558-92

Drafting attorney: R. Lisa Mojiri-Azad (202) 622-6080

Reviewing attorney: Marjorie Hoffman (202) 622-6030

Treasury attorney: W. Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080**RIN:** 1545-AQ74**2507. ESCROW FUNDS AND OTHER SIMILAR FUNDS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 0468B**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides further guidance relating to certain escrow funds and other similar funds.**Timetable:**

Action	Date	FR Cite
NPRM	02/01/99	64 FR 4801
NPRM Comment Period End	05/03/99	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-209619-93 (IA-17-93)

Drafting attorney: Richard Shevark (202) 622-4930

Reviewing attorney: Jeffery G. Mitchell (202) 622-4930

CC:IT&A

Agency Contact: Richard Shevak, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4930**RIN:** 1545-AR82**2508. MARK-TO-MARKET UPON DISPOSITION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 475**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations address the relationship between mark-to-market accounting and accrual of stated interest, discount and premium, and between mark-to-market accounting and the tax treatment of bad debts. Regulations also provide that securities are to be marked to market upon disposition by a dealer and the exemption from marking to market in certain securitization transactions.**Timetable:**

Action	Date	FR Cite
NPRM	01/04/95	60 FR 397
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-209724-94 (FI-42-94)

Drafting attorney: Robert B. Williams (202) 622-3960

Reviewing attorney: Al Kraft (202) 622-3920

CC:FI&P

Sections 1.475(a)-3 finalized in TD 8700. Sections 1.475(b)-4 finalized in TD 8700. Sections 1.475(c)-2 finalized in TD 8700.

Agency Contact: Robert B. Williams, Assistant to Chief, Branch 3, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3960**RIN:** 1545-AS85**2509. STRADDLES—MISCELLANEOUS ISSUES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This project holds equity swaps to be straddles.**Timetable:**

Action	Date	FR Cite
NPRM	05/02/95	60 FR 21482
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-209768-95 (FI-21-95)

Drafting attorney: Mary Truchly (202) 622-3960

Reviewing attorney: Robert B. Williams (202) 622-3960

CC:FI&P

Agency Contact: Mary Truchly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3960**RIN:** 1545-AT46**2510. TREATMENT OF OBLIGATION-SHIFTING TRANSACTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 7701**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations recharacterize obligation-shifting transactions. Obligation-shifting transactions are transactions in which the transferee assumes obligations, or acquires property subject to obligations under an existing lease or similar agreement. The transferor or any other party has already received, or retains the right to receive amounts that are allocable to periods after the transfer. The regulations prevent tax avoidance by recharacterizing obligation-shifting transactions in a manner that clearly reflects the parties' income.**Timetable:**

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68175
NPRM Comment Period End	04/08/97	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

TREAS—IRS

Final Rule Stage

Additional Information: REG-209817-96 (FI-10-96)

Drafting attorney: Christina A. Morrison (202) 622-3950

Reviewing attorney: Alice M. Bennett (202) 622-3950

Treasury attorney: Eric Solomon (202) 622-0140

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RIN: 1545-AU19

2511. ELECTING SMALL BUSINESS TRUST

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 1361; 26 USC 641

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None

Abstract: This regulation provides necessary guidance for defining and taxing electing small business trusts, which are now eligible shareholders of S Corporations, as provided by the Small Business Job Protection Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	12/29/00	65 FR 82963
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-251701-96

Drafting attorney: James A. Quinn (202) 622-3060

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Treasury attorney: Elizabeth Askey (202) 622-0224

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RIN: 1545-AU76

2512. FASIT—START-UP/OPERATIONAL/TRANSITION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301; 26 CFR 1

Legal Deadline: None

Abstract: These regulations will address issues concerning the start-up and operation of a Financial Asset Securitization Investment Trust (FASIT), and transitional rules for eligible existing entities that elect to be treated as a FASIT.

Timetable:

Action	Date	FR Cite
ANPRM	11/04/96	61 FR 56648
ANPRM Comment Period End	12/31/96	
NPRM	02/07/00	65 FR 5807
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-100276-97

Drafting attorney: Courtney Shepardson (202) 622-3930

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Treasury attorney: Michael Novey (202) 622-1339

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Phone: 202 622-3930

RIN: 1545-AU94

2513. AGREEMENTS FOR PAYMENT OF TAX LIABILITIES IN INSTALLMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The regulations reflect the amendment of IRC section 6159, section 202 of the Taxpayer Bill of Rights 2, which provides that upon request by a taxpayer the Secretary shall provide an independent review of the termination of an installment

agreement. The regulations reflect the amendment to section 6159, which guarantees the availability of installment agreements to taxpayers.

Timetable:

Action	Date	FR Cite
NPRM	12/31/97	62 FR 68241
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-100841-97

Drafting attorney: Frederick W. Schindler (202) 622-3620

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RIN: 1545-AU97

2514. RETURN OF LEVIED PROPERTY IN CERTAIN CASES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: Section 501(b) of the Taxpayer Bill of Rights 2 amended section 6343 of the Internal Revenue Code to authorize the Secretary to return levied property in four enumerated circumstances. Section 1102(d)(1)(B) of RRA 98 changed "Taxpayer Advocate" to "National Taxpayer Advocate" as a person who determines what is in the best interest of the taxpayer. The regulations set forth the circumstances in which the Secretary may return property and procedures to implement these sections.

Timetable:

Action	Date	FR Cite
NPRM	02/14/01	66 FR 10249
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

TREAS—IRS

Final Rule Stage

Additional Information: REG-101520-97
Drafting attorney: Kevin B. Connelly
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622-3630

Treasury attorney: Rita Cavanagh (202)
622-1981

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RIN: 1545-AV01

2515. REGULATIONS UNDER SECTION 1441 REGARDING THE ELECTRONIC TRANSMISSION OF WITHHOLDING CERTIFICATES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
6061; 26 USC 1441

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides
guidance for the electronic transmission
of withholding certificates.

Timetable:

Action	Date	FR Cite
NPRM	10/14/97	62 FR 53504
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-107872-97

Drafting attorney: Carl M. Cooper (202)
622-3840

Reviewing attorney: Valerie A. Mark
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RIN: 1545-AV27

2516. INTEREST ON EDUCATION LOANS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 221; 26 USC
7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides
guidance on the deduction of interest
on education loans under section 221.

Timetable:

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3257
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-116826-97

Drafting attorney: Nicole E. Francis
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RIN: 1545-AW01

2517. MARK-TO-MARKET ACCOUNTING FOR DEALERS IN COMMODITIES AND TRADERS IN SECURITIES AND COMMODITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 475; 26 USC
7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides
guidance concerning mark-to-market
accounting for securities traders and
commodities dealers and traders.

Timetable:

Action	Date	FR Cite
NPRM	01/28/99	64 FR 4374
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-104924-98

Drafting attorney: Stephen J. Coleman
(202) 622-3060

Reviewing attorney: Alvin Kraft (202)
622-3920

CC:FI&P

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Phone: 202 622-3060

RIN: 1545-AW06

2518. STOCKS AND SECURITIES SAFE HARBOR EXCEPTION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulatory action will
amend 26 CFR 1 to clarify and update
the safe harbor that one is not engaged
in a trade or business as a result of
trading in stocks and securities. The
amendment will provide additional
guidance regarding the definitions of
stocks and securities.

Timetable:

Action	Date	FR Cite
NPRM	06/12/98	63 FR 32164
Hearing	09/09/98	
NPRM Comment Period End	09/10/98	
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106031-98

Drafting attorney: Milton M. Cahn (202)
622-3870

Reviewing attorney: Paul S. Epstein
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RIN: 1545-AW13

2519. ELECTION TO TREAT TRUST AS ESTATE—SECTION 645

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 645; 26 USC
7805

CFR Citation: 26 CFR 1

Legal Deadline: None

TREAS—IRS

Final Rule Stage

Abstract: The regulation will provide guidance regarding the operation of section 645 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/18/00	65 FR 79015
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106542-98

Drafting attorney: Faith Colson (202) 622-3060

Reviewing attorney: J. Thomas Hines (202) 622-3060

CC:P&SI

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Phone: 202 622-3060

RIN: 1545-AW24

2520. CORPORATE TAX SHELTER REGISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6111

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation project provides guidance on the registration requirements for confidential corporate tax shelters under section 6111(d) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	03/02/00	65 FR 11272
Public Hearing	06/20/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-110311-98

Drafting attorney: Danielle M. Grimm (202) 622-3080

Reviewing attorney: Christine Ellison (202) 622-3070

CC:P&SI

Agency Contact: Danielle M. Grimm, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080

RIN: 1545-AW26

2521. INTERCOMPANY OBLIGATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1502; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides clarification of the tax treatment of certain transfers of intercompany obligations by or to a member of a consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	12/18/98	63 FR 70354
NPRM Comment Period End	03/22/99	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-105964-98

Drafting attorney: Theresa Abell (202) 622-7700

Reviewing attorney: Ken Cohen (202) 622-7790

CC:CORP

Agency Contact: Theresa Abell, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7700

RIN: 1545-AW30

2522. DISREGARDED ENTITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance under section 368 of the Internal Revenue Code, regarding corporate transactions involving disregarded entities.

Timetable:

Action	Date	FR Cite
NPRM	05/16/00	65 FR 31115
Comment Period End	08/14/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106186-98

Drafting attorney: Reginald Mombrun (202) 622-7750

Reviewing attorney: Mark Jennings (202) 622-7750

Treasury attorney: Audrey Nacamuli (202) 622-5721

CC:CORP

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RIN: 1545-AW36

2523. MIDDLEMAN REGULATION UNDER SECTIONS 6041 AND 6045

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6041; 26 USC 6045

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance on the legal obligation to file information returns by: 1) an intermediary or middleman who makes payments on behalf of another person; and 2) an investment advisor.

Timetable:

Action	Date	FR Cite
NPRM	10/17/00	65 FR 61292
Public Hearing	02/07/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-246249-96

Drafting attorney: Nancy L. Rose (202) 622-4910

Reviewing attorney: James C. Gibbons (202) 622-4910

Treasury attorney: Jeffrey Paravano (202) 622-1336

TREAS—IRS

Final Rule Stage

CC:PA:APJP

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Phone: 202 622-4910

RIN: 1545-AW48

2524. GUIDANCE UNDER SUBPART F RELATING TO CERTAIN HYBRID TRANSACTIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 954**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations provide guidance on the treatment under subpart F of certain payments involving branches of a CFC that are treated as separate entities for foreign tax purposes or partnerships in which CFCs are partners.

Timetable:

Action	Date	FR Cite
NPRM	07/13/99	64 FR 37727
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-113909-98

Drafting attorney: Valerie A. Mark Lippe (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

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RIN: 1545-AW63

2525. RELIEF FROM JOINT AND SEVERAL LIABILITY ON JOINT RETURN**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6015**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will provide procedures as are necessary to carry out the provisions of section 6015, including: 1) methods for allocation of items other than the methods under section 6015(d)(3); and 2) providing the opportunity for an individual to have notice of, and an opportunity to participate in, any administrative proceeding with respect to an election made under section 6015(b) or section 6015(c) by the other individual filing the joint return.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3888
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106446-98

Drafting attorney: Charles A. Hall (202) 622-4940

Reviewing attorney: Judith M. Wall (202) 622-4940

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:P&A:APJP

Agency Contact: Charles A. Hall, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545-AW64

2526. EDUCATION CREDITS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 25**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations provide individual taxpayers with guidance on the Hope Scholarship Credit and the Lifetime Learning Credit.

Timetable:

Action	Date	FR Cite
NPRM	01/06/99	64 FR 794
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106388-98

Drafting attorney: Donna J. Welch (202) 622-4910

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RIN: 1545-AW65

2527. INFORMATION REPORTING FOR PAYMENTS OF INTEREST ON EDUCATION LOANS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6050**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None

Abstract: The regulations relate to the requirements for filing information returns for interest received on qualified education loans. The regulations prescribe magnetic media filing requirements for these information returns.

Timetable:

Action	Date	FR Cite
NPRM	12/20/00	65 FR 79788
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-105316-98

Drafting attorney: Donna J. Welch (202) 622-4910

Reviewing attorney: John McGreevy (202) 622-4910

Treasury attorney: Susan Brown (202) 622-0999

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RIN: 1545-AW67

TREAS—IRS

Final Rule Stage

2528. MODIFICATIONS AND ADDITIONS TO THE UNIFIED PARTNERSHIP AUDIT PROCEDURES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6230; 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The regulations modify the Unified Partnership Audit Procedures based on statutory changes enacted in 1997 and 1998. As part of this project, all of the Unified Partnership Audit Procedure regulations will be finalized.

Timetable:

Action	Date	FR Cite
NPRM	01/25/99	64 FR 3886
Cancellation of Public Hearing	04/06/99	64 FR 16640
Correction To NPRM	04/19/99	64 FR 19217
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106564-98

Drafting attorney: Horace Howells (202) 622-3050

Reviewing attorney: Dianna Miosi (202) 622-3050

Treasury attorney: Deborah Harrington (202) 622-1788

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RIN: 1545-AW86**2529. COMPROMISES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7122**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The purpose of this regulation is to provide expanded compromise authority, pursuant to section 7122 of title 26, as amended by the Restructuring and Reform Act of 1998. Prior to the amendment, doubt as to collectibility, doubt as to liability, or both, were the only grounds for consideration of compromise cases. The

goal of this regulation is to permit consideration of other factors in compromising tax liability.

Timetable:

Action	Date	FR Cite
NPRM	07/21/99	64 FR 39106
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-116991-98

Drafting attorney: Frederick W. Schindler (202) 622-3620

Reviewing attorney: Lawrence Schattner (202) 622-3620

Treasury attorney: Rita Cavanagh (202) 622-1981

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RIN: 1545-AW88**2530. CERTAIN ASSET TRANSFERS TO REGULATED INVESTMENT COMPANIES (RICS) AND REAL ESTATE INVESTMENT TRUSTS (REITS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 337**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations implement provisions of the Tax Reform Act of 1986 relating to certain property transfers to Regulated Investment Companies (RICs) and Real Estate Investment Trusts (REITs).

Timetable:

Action	Date	FR Cite
NPRM	02/03/00	65 FR 5805
Comment Period Ends	04/19/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-209135-88

Drafting attorney: Lisa A. Fuller (202) 622-7750

Reviewing attorney: Mark Jennings (202) 622-7750

Treasury attorney: Deborah Harrington (202) 622-1788

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RIN: 1545-AW92**2531. TRANSFER OF REMIC RESIDUAL INTEREST****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will amend the rules on transfers of non-economic residual interests to add to and clarify the safe harbor rules for establishing lack of improper knowledge under existing law.

Timetable:

Action	Date	FR Cite
NPRM	02/07/00	65 FR 5807
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-122450-98

Drafting attorney: Courtney Shepardson (202) 622-3930

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Treasury attorney: Michael Novey (202) 622-1339

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Agency Contact: Courtney Shepardson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545-AW98**2532. QUALIFIED OFFERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805

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CFR Citation: 26 CFR 1**Legal Deadline:** None

Abstract: This regulation relates to the qualified offer rule allowing the recovery of reasonable administrative or litigation costs.

Timetable:

Action	Date	FR Cite
NPRM	01/04/01	66 FR 749
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-121928-98

Drafting attorney: Thomas D. Moffitt (202) 622-7900

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RIN: 1545-AW99

2533. NOTICE OF CONTACT OF THIRD PARTIES—SECTION 7602(C)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: This regulation implements and interprets section 7602(c) of the Internal Revenue Code, concerning third-party contacts. The Restructuring and Reform Act of 1998, section 3417(a), created a new section 7602(c), which provides that the IRS may not contact third parties with respect to the determination or collection of the tax liability of a taxpayer without providing reasonable notice to the taxpayer in advance. It also requires the IRS to keep a list of contacts and provide it periodically to the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	01/02/01	66 FR 77
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-104906-99

Drafting attorney: Charles B. Christopher (202) 622-3630

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RIN: 1545-AX04

2534. ALLOCATION OF RESEARCH CREDIT**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 41**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will provide guidance on the proper method of computing the research credit for a controlled group. In addition, this regulation will provide guidance on the allocation of the research credit among members of the controlled group.

Timetable:

Action	Date	FR Cite
NPRM	01/04/00	65 FR 258
Public Hearing	04/26/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-105606-99

Drafting attorney: Lisa Shuman (202) 622-3120

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RIN: 1545-AX05

2535. DELAY RENTAL PAYMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 263**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations clarify that section 1.612-3(c) applies to delay rental payments to the extent that section 263A does not require the payments to be capitalized.

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6090
Public Hearing	05/26/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-103882-99

Drafting attorney: Brenda M. Stewart (202) 622-3120

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RIN: 1545-AX06

2536. CHANGE OF ANNUAL ACCOUNTING PERIOD**Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 442**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation states under what circumstances taxpayers should be allowed to change their annual accounting period, either on an automatic basis, or with the prior approval of the Commissioner.

Timetable:

Action	Date	FR Cite
NPRM	06/13/01	66 FR 31850
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

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Final Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-106917-99

Drafting attorney: Michael F. Schmit
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RIN: 1545–AX15

2537. COORDINATION OF SECTIONS 755 AND 1060**Priority:** Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 755; 26 USC 1060

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will provide rules for determining the fair market value of partnership assets for the purpose of allocating basis adjustments under sections 732(d), 734(b) and 743(b) among partnership assets under section 755, using the residual method of section 1060 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	04/05/00	65 FR 17829
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-107872-99

Drafting attorney: Craig A. Gerson (202)
622-3050

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622-3060

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RIN: 1545–AX18

2538. EXCLUSION OF GAIN ON THE SALE OR EXCHANGE OF PRINCIPAL RESIDENCE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 121

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These rules reflect changes made by the Taxpayer Relief Act of 1997 to sections 121 and 1034 of the Code, relating to the exclusion of gain from the sale or exchange of a taxpayer's principal residence.

Timetable:

Action	Date	FR Cite
NPRM	10/10/00	65 FR 60136
Public Hearing	01/23/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-105235-99

Drafting attorney: Sara P. Shepherd
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RIN: 1545–AX28

2539. SPECIAL RULES FOR RETROACTIVE PAYMENTS UNDER SECTION 417(A)(7)(A) FOR QUALIFIED RETIREMENT PLANS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 417; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance regarding the special rule in IRC section 417(a)(7)(A), which permits qualified retirement plans to provide written explanation of QJSA after the annuity starting date.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3916
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:

Undetermined

Additional Information: REG-109481-99

Drafting attorney: Robert M. Walsh
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CC:TEGE

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RIN: 1545–AX34

2540. CHANGES IN ENTITY CLASSIFICATION: SPECIAL RULE FOR CERTAIN FOREIGN ELIGIBLE ENTITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 7701

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation provides rules relating to certain conversions of foreign eligible entities under the entity classification rules.

Timetable:

Action	Date	FR Cite
NPRM	11/29/99	64 FR 66591
Public Hearing	01/31/00	
NPRM Comment Period End	02/28/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-110385-99

Drafting attorney: Aaron A. Farmer
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Reviewing attorney: Charles P. Besecky
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Agency Contact: Aaron A. Farmer,
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TREAS—IRS

Final Rule Stage

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RIN: 1545–AX39

2541. AGENT FOR THE GROUP UNDER SECTION 1.1502-77

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation revises the rules under section 1.1502-77 governing the common parent as agent for the consolidated group and the designation of a new agent when the common parent ceases to exist; revises the rule under section 1.1502-78 for an application for carryback adjustment with respect to a loss arising in another consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	09/26/00	65 FR 57755
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-103805-99

Drafting attorney: George Robert Johnson (202) 622-7930

Reviewing attorney: Gerald B. Fleming (202) 622-7770

Treasury attorney: Stephanie Robinson (202) 622-9858

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RIN: 1545–AX56

2542. EQUITY OPTIONS WITH FLEXIBLE TERMS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1092

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will provide guidance about qualified covered call treatment for equity options with flexible terms.

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4751
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-115560-99

Drafting attorney: Pamela Lew (202) 622-3950

Reviewing attorney: Robert B. Williams (202) 622-3960

Treasury attorney: Viva Hammer (202) 622-0869

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RIN: 1545–AX66

2543. LOANS UNDER SECTION 72(P)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 72

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will provide guidance on the application of rules for determining the income tax treatment to be accorded loans to participants or beneficiaries from qualified employer plans. The loans rules are provided in section 72(p) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	07/31/00	65 FR 46677
Hearing	12/06/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-116495-99

Drafting attorney: Vernon Carter (202) 622-6070

Reviewing attorney: Catherine Fernandez (202) 622-6090

Treasury attorney: William Bortz (202) 622-1352

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RIN: 1545–AX68

2544. ALLOCATION AND APPORTIONMENT OF INTEREST EXPENSE AND CERTAIN OTHER EXPENSES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 864

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations provide rules for the allocation and apportionment of interest expenses and certain other expenses for purposes of the foreign tax credit and certain other international tax provisions.

Timetable:

Action	Date	FR Cite
NPRM	02/05/90	55 FR 3750
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-117608-99

Drafting attorney: David F. Bergkuist (202) 622-3850

Reviewing attorney: Michael Cornett (202) 622-3800

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RIN: 1545–AX72

TREAS—IRS

Final Rule Stage

2545. CLARIFICATION OF ENTITY CLASSIFICATION RULES REGARDING ENTITIES CLASSIFIED AS CORPORATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** This regulation provides a special rule to clarify the per se list of corporate entities.**Timetable:**

Action	Date	FR Cite
NPRM	01/12/01	66 FR 2854
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-101739-00Drafting attorney: Camille B. Evans
(202) 622-3860Reviewing attorney: Charles P. Besecky
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CC:INTL

Agency Contact: Camille B. Evans, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860**RIN:** 1545–AX75**2546. REQUIREMENT TO MAINTAIN LIST OF INVESTORS IN POTENTIALLY ABUSIVE TAX SHELTERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6112; 26 USC 7805**CFR Citation:** 26 CFR 301; 26 CFR 602**Legal Deadline:** None**Abstract:** These regulations require the maintenance of lists of investors in potentially abusive tax shelters described in section 6112 of the Internal Revenue Code.**Timetable:**

Action	Date	FR Cite
NPRM	03/02/00	65 FR 11271
Hearing	06/20/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-103736-00Drafting attorney: Danielle M. Grimm
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Agency Contact: Danielle M. Grimm, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080**RIN:** 1545–AX79**2547. TAX SHELTER DISCLOSURE STATEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6011; 26 USC 7805**CFR Citation:** 26 CFR 1; 26 CFR 602**Legal Deadline:** None**Abstract:** The regulations require certain corporate taxpayers to file a statement under section 6011 and maintain certain documents under section 6001 of the Internal Revenue Code.**Timetable:**

Action	Date	FR Cite
NPRM	03/02/00	65 FR 11269
Public Hearing	06/20/00	65 FR 11270
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-103735-00Drafting attorney: Danielle M. Grimm
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Agency Contact: Danielle M. Grimm, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080**RIN:** 1545–AX81**2548. DISCLOSURE OF RETURN AND RETURN INFORMATION TO DESIGNEE OF TAXPAYER****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6103**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** The purpose of this regulation is to implement the amendment contained in the Taxpayer Bill of Rights II (TBOR II) to Internal Revenue Code section 6103(c). TBOR II eliminated the requirement for a request or consent for disclosure to be in writing. The proposed regulations would permit the Internal Revenue Service to disclose returns and return information to a taxpayer's designee, pursuant to a non-written request for or consent to disclosure. The regulations will also provide rules and guidance for consent in an electronic environment. Additionally, the regulations will provide guidance to Internal Revenue Service personnel to clarify a number of issues that have arisen since the regulation was initially promulgated in the late 1970s.**Timetable:**

Action	Date	FR Cite
NPRM	01/11/01	66 FR 2373
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-103320-00Drafting attorney: Joseph E. Conley
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CC:P&A:D&PL

Agency Contact: Joseph E. Conley, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4580**RIN:** 1545–AX85**2549. APPLICATION OF SEPARATE FOREIGN TAX CREDIT LIMITATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 904; 26 USC 7805

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CFR Citation: 26 CFR 1**Legal Deadline:** None

Abstract: This regulation clarifies the application of separate foreign tax credit limitations under sections 904(b) and 904(d) of the Code and revises the rules for computing post-1986 undistributed earnings and taxes of foreign corporations under section 902 of the Code.

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 319
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-104683-00

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RIN: 1545–AX88**2550. DETERMINATION OF BASIS OF PARTNERS' INTEREST; SPECIAL RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 705; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations will limit the increase to basis under section 705, where a corporation directly or indirectly acquires an interest in a partnership that holds stock in the same corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 315
Public Hearing	05/03/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106702-00

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RIN: 1545–AX94**2551. DEFINITION OF INCOME UNDER SECTION 643****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 643; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations provide guidance under section 643 of the Internal Revenue Code, on whether State law definition of trust income is trust income for Federal tax purposes.

Timetable:

Action	Date	FR Cite
NPRM	02/15/01	66 FR 1039
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** REG-106513-00

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RIN: 1545–AX96**2552. CONSTRUCTIVE TRANSFERS AND TRANSFERS OF PROPERTY TO THIRD PARTIES ON BEHALF OF A SPOUSE****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation will provide rules for determining when a redemption by a corporation of the stock of one spouse or former spouse results in a constructive transfer to the other spouse or former spouse of the proceeds of the redemption.

Timetable:

Action	Date	FR Cite
NPRM	08/03/01	66 FR 40659
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107151-00

Drafting attorney: Edward C. Schwartz
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RIN: 1545–AX99**2553. REGULATIONS GOVERNING PRACTICE BEFORE THE INTERNAL REVENUE SERVICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 330**CFR Citation:** 31 CFR 10**Legal Deadline:** None

Abstract: This regulation amends the rules governing practice before the IRS, which appears in the Code of Federal Regulations and in pamphlet form as Treasury Department Circular No. 230, Regulations Governing the Practice of Attorneys, Certified Public Accountants, Enrolled Agents, Enrolled Actuaries, and Appraisers Before the IRS. The regulation addresses general standards of practice and standards of practice in the case of tax shelters.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	05/05/00	65 FR 30375
NPRM	01/12/01	66 FR 30375
Public Hearing	05/02/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-111835-99Drafting attorney: Brinton T. Warren
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622-1981

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Phone: 202 622-4940**RIN:** 1545–AY05**2554. “AUTHORIZED PLACEMENT
AGENCY” UNDER SECTION 152****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 152**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations amend the
definition of “authorized placement
agency” (for purposes of determining
whether a child placed for legal
adoption in a taxpayer’s home is a
dependent of the taxpayer) to include
biological parents and other persons
authorized by State law to place
children for legal adoption.**Timetable:**

Action	Date	FR Cite
NPRM	11/30/00	65 FR 71277
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107279-00Drafting attorney: Elizabeth K. Kaye
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Fax: 202 622-6232**RIN:** 1545–AY18**2555. MID-CONTRACT CHANGE IN
TAXPAYER****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC
460**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** The regulations will address
issues presented by a change in the
taxpayer accounting for a long-term
contract.**Timetable:**

Action	Date	FR Cite
NPRM	02/16/01	66 FR 10643
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-105946-00Drafting attorney: John M. Aramburu
(202) 622-4960Reviewing attorney: J. Charles
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Phone: 202 622-4960**RIN:** 1545–AY31**2556. HIPAA GENERAL
NONDISCRIMINATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC
9833**CFR Citation:** 26 CFR 54**Legal Deadline:** None**Abstract:** These regulations provide
guidance regarding the requirementsimposed on group health plans not to
discriminate in rules for eligibility
under the plan on the basis of any
health factor, and not to require any
individual to pay a higher premium or
contribution for coverage under the
plan than any similarly situated
individual based on any health factor.**Timetable:**

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1435
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-114082-00Drafting attorney: Russell Weinheimer
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(202) 622-6000Treasury attorney: Kevin Knopf (202)
622-2329

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Phone: 202 622-6080**RIN:** 1545–AY32**2557. HIPAA
NONDISCRIMINATION/EXCEPTION
FOR CHURCH PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC
7853**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations provide
guidance on the exception for certain
grandfathered church plans from the
general rule requiring group health
plans not to discriminate in rules for
eligibility on the basis of any health
factor.**Timetable:**

Action	Date	FR Cite
NPRM	01/10/01	66 FR 1437
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-114083-00

TREAS—IRS

Final Rule Stage

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RIN: 1545–AY33

2558. HIPAA NONDISCRIMINATION/BONA FIDE WELLNESS PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
9833

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations provide guidance regarding the exception for certain wellness programs to the general rule imposed on group health plans not to require a higher premium or contribution from an individual than from a similarly situated individual based on any health factor.

Timetable:

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1421
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-114084-00

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RIN: 1545–AY34

2559. GUIDANCE UNDER SECTION 355(E); RECOGNITION OF GAIN ON CERTAIN DISTRIBUTIONS OF STOCK OF SECURITIES IN CONNECTION WITH AN ACQUISITION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
355(e)(5)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: On January 2, 2001, a notice of proposed rulemaking was published in the Federal Register (REG-107566-00; 66 FR 66) under section 355(e) of the Internal Revenue Code of 1986. A public hearing regarding those proposed regulations was held on May 15, 2001. On August 3, 2001, those proposed regulations were published as temporary regulations in the Federal Register (REG-107566-00). This notice of proposed rulemaking will both withdraw the notice of proposed rulemaking that was published on January 2, 2001 and provide new rules under section 355(e) of the Internal Revenue Code of 1986 by cross-reference to temporary regulations to be published in the same issue of the Federal Register.

This regulation provides guidance on section 355(e) of the Internal Revenue Code. Section 355(e) provides that a distributing corporation will recognize gain on the distribution of stock of a controlled corporation if 50 percent of the stock of the distributing corporation or controlled corporation is acquired pursuant to a plan that includes the distribution.

Timetable:

Action	Date	FR Cite
NPRM	01/02/01	66 FR 66
Hearing	05/15/01	
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Additional Information: REG-163892-01

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RIN: 1545–AY42

2560. GUIDANCE UNDER SUBPART F RELATING TO PARTNERSHIPS

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations provide guidance for the treatment under subpart F of a controlled foreign corporation partner's distributive share of subpart F income.

Timetable:

Action	Date	FR Cite
NPRM	09/20/00	65 FR 56836
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: Governmental
Jurisdictions

Government Levels Affected: None

Additional Information: REG-112502-00

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RIN: 1545–AY45

2561. ELECTRONIC FURNISHING OF PAYEE STATEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6050; 26 USC
6051; 26 USC 6041; 26 USC 6724

CFR Citation: 26 CFR 1; 26 CFR 31

Legal Deadline: None

Abstract: This regulation amends the regulations to allow for the electronic furnishing of Forms W-2, 1098-E and 1098-T.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	02/14/01	66 FR 10247
NPRM Comment Period End	07/06/01	66 FR 32279
Public Hearing	07/25/01	66 FR 32279
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State**Additional Information:** REG-107186-00

Drafting attorney: James C. Gibbons (202) 622-4910

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Treasury attorney: John Parcell (202) 622-2578

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RIN: 1545–AY50**2562. DISCLOSURE OF RETURN INFORMATION TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF COMMERCE FOR CERTAIN STATISTICAL PURPOSES AND RELATED ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6103**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The regulations relate to additions to the list of items of information disclosed to the Bureau of the Census for use in the Longitudinal Employer-Household Dynamics (LEHD) project and the Survey of Income and Program Participation (SIPP) project.

Timetable:

Action	Date	FR Cite
NPRM	02/13/01	66 FR 9991
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG-121109-00

Drafting attorney: Stuart D. Murray (202) 622-4580

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RIN: 1545–AY52**2563. GUIDANCE UNDER SECTION 1275(A)(1)(B)(II)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations address what is an insurance company subject to tax under subchapter L for purpose of section 1275(a)(1)(B)(ii) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	01/12/01	66 FR 2852
Cancelled Public Hearing	05/23/01	66 FR 28407
Public Hearing	05/30/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-125237-00

Drafting attorney: Patrick E. White (202) 622-3920

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RIN: 1545–AY60**2564. GUIDANCE ON REPORTING OF DEPOSIT INTEREST PAID TO NONRESIDENT ALIENS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides guidance on the reporting requirements for interest on deposits maintained at the U.S. office of certain financial institutions and paid to NRAs. These proposed regulations affect persons making payment of interest with respect to such a deposit.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3925
Hearing	06/21/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-126100-00

Drafting attorney: Kate Y. Hwa (202) 622-3840

Reviewing attorney: Valerie A. Mark (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

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RIN: 1545–AY62**2565. SECTION 706 AND FOREIGN PARTNERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations will provide guidance regarding the determination under section 706(b) of the taxable year of a partnership with foreign partners.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3920
Public Hearing	06/06/01	
Final Action	12/00/02	

TREAS—IRS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-104876-00

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RIN: 1545–AY66**2566. TAX TREATMENT OF CAFETERIA PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 125**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides information about the tax treatment of cafeteria plans.

Timetable:

Action	Date	FR Cite
NPRM	01/10/01	66 FR 1923
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG-209461-79

Drafting attorney: Janet Laufer (202) 622-6090

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RIN: 1545–AY67**2567. NOTICE TO INTERESTED PARTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: These regulations set forth the applicable standards by which a plan sponsor may satisfy the notice to interested parties requirement. Before the Service can issue a determination letter, a plan sponsor must provide evidence that it has notified all persons who qualify as interested parties that an application for an advance determination will be filed regarding the qualification of the sponsor's plan. The proposed regulations affect retirement plan sponsors, interested parties, and certain representatives of interested parties.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3954
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-129608-00

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RIN: 1545–AY68**2568. REQUIRED DISTRIBUTIONS FROM RETIREMENT PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1; 26 CFR 54**Legal Deadline:** None

Abstract: This regulation amends the Income Tax Regulations (26 CFR part 1) and the Pension Excise Taxes Regulations (26 CFR part 54) under

sections 401, 403, 408, and 4974 of the Internal Revenue Code of 1986. These amendments are proposed to conform the regulations to sections 1121 and 1852 of the Tax Reform Act of 1986 (TRA of 1986) (100 Stat. 2464 and 2864), sections 521 and 713 of the Tax Reform Act of 1984 (TRA of 1984) (98 Stat. 865 and 955), sections 242 and 243 of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) (96 Stat. 521), and section 1404 of the Small Business Job Protection Act of 1996 (SBJPA) 110 Stat. 1791. The regulations provide guidance on the minimum distribution requirements under section 401(a)(9) for plans qualified under section 401(a). The rules are incorporated by reference for other retirement plans under section 408(a)(3) and (b)(6) for IRAs, section 403(b)(10) for tax sheltered annuities, and section 457(d) for eligible deferred compensation plans. Comprehensive proposed regulations under section 401(a)(9) were previously published in 1987. In 1997, amendments to those proposed regulations were published addressing the limited issue of trusts as designated beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3928
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-130477-00

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Reviewing attorney: Marjorie Hoffman (202) 622-6090

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RIN: 1545–AY69**2569. DISCLOSURE OF RETURNS AND RETURN INFORMATION BY OTHER AGENCIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805

TREAS—IRS

Final Rule Stage

CFR Citation: 26 CFR 301**Legal Deadline:** None

Abstract: This regulation permits the Commissioner to authorize agencies with access to returns and return information under section 6103 of the Code to redisclose such returns and return information, with the Commissioner's approval, to the Congressional Budget Office and other agencies authorized to receive such information in accordance with IRC section 6103.

Timetable:

Action	Date	FR Cite
NPRM	12/17/01	66 FR 64386
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG-105344-01

Drafting attorney: Julie C. Schwartz (202) 622-4570

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RIN: 1545–AY77**2570. RESEARCH CREDIT III****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 41**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The proposed regulation relates to the computation of the research credit under section 41(c) and the definition of the qualified research under section 41(d) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/26/01	66 FR 66362
Hearing	03/27/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** REG-112991-01

Drafting attorney: Lisa Shuman (202) 622-3120

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RIN: 1545–AY82**2571. NEW MARKET TAX CREDIT****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 45D; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations relate to the new markets tax credit under section 45D, which was enacted by section 121(a) of the Community Renewal Tax Relief Act of 2000 (Pub. L. 106-554).

Timetable:

Action	Date	FR Cite
ANPRM	05/01/01	66 FR 21844
NPRM	12/26/01	66 FR 66376
Public Hearing	03/14/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** REG-119436-01

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RIN: 1545–AY87**2572. GUIDANCE UNDER IRC SECTION 4374****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 4374**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation is intended to amend Treasury Regulation section 46.4374-1(a), which deals with an excise tax imposed on foreign insurers or reinsurers. The existing regulation was published in 1970 and provides that the "tax shall be remitted by the person who makes the payment of the premium to a foreign insurer or reinsurer or to any nonresident agent, solicitor, or broker. For purposes of this paragraph, the person who makes payment means that resident person who actually transfers the money, check, or its equivalent to the foreign insurer or reinsurer (including transfers to any bank, trust fund, or similar recipient, designated by the foreign insurer or reinsurer), or to any nonresident agent, solicitor, or broker." In 1976, I.R.C. section 4374 was amended to impose liability on "any person who makes, signs, issues, or sells any of the documents and instruments subject to the tax, or for whose use or benefit the same are made, signed, issued or sold." For example, there have been cases recently where a foreign parent corporation has purchased from a foreign insurer policies covering risks and policies for the benefit of a U.S. subsidiary. The IRS often has no ability to collect the excise tax on such a policy from the foreign parent, and the U.S. subsidiary has relied on the existing regulation to argue that the IRS may not collect the tax from the subsidiary, because it did not actually pay the premium to the foreign insurer.

Timetable:

Action	Date	FR Cite
NPRM	01/07/02	67 FR 708
NPRM Comment Period End	02/26/02	
Final Action	12/00/02	

TREAS—IRS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:**

Undetermined

Additional Information: REG-125450-01Drafting attorney: Amanda A. Ehrlich
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Phone: 202 622-3880**RIN:** 1545–AY93**2573. CONFORMING AMENDMENTS
TO SECTION 446****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 446; 26 USC
1502**CFR Citation:** 26 CFR 446**Legal Deadline:** None**Abstract:** The proposed regulation is
related to the treatment of the
consolidated return intercompany
transaction rules as a method of
accounting.**Timetable:**

Action	Date	FR Cite
NPRM	11/07/01	66 FR 56262
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-125161-01Drafting attorney: Marie C. Milnes-
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RIN: 1545–BA05**2574. CONSOLIDATED RETURNS;
NON-APPLICABILITY OF SECTION
357(C)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC
1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulations
make amendments to section 1.1502-
80(d) of the consolidated return
regulations dealing with the scope of
the non-applicability of section 357(c)
in a consolidated group.**Timetable:**

Action	Date	FR Cite
NPRM	11/14/01	66 FR 57021
Public Hearing	03/21/02	
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-137519-01Drafting attorney: Thomas I. Russell
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622-7930Treasury attorney: Audrey Nacamuli
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Phone: 202 622-7930**RIN:** 1545–BA09**2575. CATCH-UP CONTRIBUTIONS
FOR INDIVIDUALS AGE 50 OR OVER****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** None**Legal Deadline:** None**Abstract:** The proposed regulations
would provide guidance for plans that
permit individuals age 50 or over to
make catch-up contributions under the
plan.**Timetable:**

Action	Date	FR Cite
NPRM	10/23/01	66 FR 53555
Public Hearing	04/30/02	67 FR 7656
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-142499-01Drafting attorney: John T. Ricotta (202)
622-6060Reviewing attorney: Marjorie Hoffman
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Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-6060**RIN:** 1545–BA24**2576. • TRANSFERS OF C
CORPORATION PROPERTY TO RICS
OR REITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 337**CFR Citation:** 26 CFR 337; 26 CFR
7805**Legal Deadline:** None**Abstract:** These regulations implement
provisions of the Tax Reform Act of
1986 relating to Certain Property
TransferS to Regulated Investment
Companies (RICs) and Real Estate
Investment Trusts (REITs).**Timetable:**

Action	Date	FR Cite
NPRM	01/02/02	67 FR 48
Comment Period End	04/20/02	
Public Hearing	05/01/02	67 FR 1672
Final Action	12/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG-142299-01Drafting attorney: Lisa A. Fuller (202)
622-7750Reviewing attorney: Mark S. Jennings
(202) 622-7750

TREAS—IRS

Final Rule Stage

Treasury attorney: Deborah Harrington
(202) 622-1788

CC:CORP

Agency Contact: Lisa A. Fuller,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-7750

RIN: 1545-BA36

**2577. • WITHHOLDING AT TREATY
RATE EXCEPTION FOR TAXPAYER
IDENTIFYING NUMBER**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
1441

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will address
the taxpayer identifying number rule
when taxpayer claims treaty rate and
is entitled to an immediate payment.

Timetable:

Action	Date	FR Cite
NPRM	01/17/02	67 FR 2387
Final Action	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-159079-01

Drafting attorney: Jonathan A. Sambur
(202) 622-3840

Reviewing attorney: Phyllis E. Marcus
(202) 622-3840

Treasury attorney: Patrick Brown (202)
622-1754

CC:INTL

Agency Contact: Jonathan A. Sambur,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,

1111 Constitution Avenue NW,
Washington
Phone: 202 622-3840

RIN: 1545-BA38

**2578. • GUIDANCE UNDER SECTION
355(E); RECOGNITION OF GAIN ON
CERTAIN DISTRIBUTIONS OF STOCK
OR SECURITIES IN CONNECTION
WITH AN ACQUISITION**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
355(e)(5)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These temporary regulations
relating to the recognition of gain on
certain distribution of stock or
securities in connection with an
acquisition will withdraw previously
published temporary regulations (REG-
107566-0); 66 FR 40590), and provide
new rules under section 355(e) of the
Internal Revenue Code of 1986.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-163892-01

Drafting attorney: Amber R. Cook (202)
622-7530

Reviewing attorney: Stephen P. Fattman
(202) 622-7700

Treasury attorney: Audrey Nacamuli
(202) 622-5721

CC:CORP

Agency Contact: Amber R. Cook,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224

Phone: 202 622-7530

RIN: 1545-BA55

**2579. • DISCLOSURES OF RETURN
INFORMATION TO OFFICERS AND
EMPLOYEES OF THE DEPARTMENT
OF AGRICULTURE FOR CERTAIN
STATISTICAL PURPOSES AND
RELATED ACTIVITIES**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6103(j)(5)

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: Temporary rule on disclosure
of telephone number from Form
1040/Schedule F to officers and
employees of the Department of
Agriculture for certain statistical
purposes and related activities pursuant
to section 6103(j)(5).

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/00/02	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-156293-01

Drafting attorney: Joseph E. Conley
(202) 622-4580

Reviewing attorney: David L. Fish (202)
622-4580

Treasury attorney: Elizabeth Askey
(202) 622-0224

CC:P&A:DP&L

Agency Contact: Joseph E. Conley,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-4580

RIN: 1545-BA56

**Department of the Treasury (TREAS)
Internal Revenue Service (IRS)**

Long-Term Actions

**2580. INCOME TAX—DEFINITION OF
QUALIFIED POSSESSION SOURCE
INVESTMENT INCOME FOR
PURPOSES OF PUERTO RICO AND
POSSESSION TAX CREDIT**

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/21/86	51 FR 2726
Next Action Undetermined		

**Regulatory Flexibility Analysis
Required:** Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: W. Edward Williams
Phone: 202 622-3880

RIN: 1545-AC10

TREAS—IRS

Long-Term Actions

2581. FSC TRANSFER PRICING RULES, DISTRIBUTIONS, DIVIDENDS RECEIVED, DEDUCTION, AND OTHER SPECIAL RULES FOR FSC**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	03/03/87	52 FR 6467
NPRM Comment Period End	05/02/87	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Douglas L. Giblen
Phone: 202 874-1490**RIN:** 1545-AI16**2582. INFORMATION FROM PASSPORT AND IMMIGRATION APPLICANTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	12/24/92	57 FR 61373

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Amanda A. Ehrlich
Phone: 202 622-3880**RIN:** 1545-AJ93**2583. FOREIGN INSURANCE COMPANIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Steven D. Jensen
Phone: 202 622-3870**RIN:** 1545-AL82**2584. INCOME OF FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	06/27/88	53 FR 24100
NPRM Comment Period End	08/26/88	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** David A. Juster
Phone: 202 622-3850**RIN:** 1545-AL93**2585. CLARIFICATION OF TREATMENT OF SEPARATE LIMITATION LOSSES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Richard L. Chewning
Phone: 202 622-3850**RIN:** 1545-AM11**2586. COMPUTATION OF A BRANCH'S TAXABLE INCOME; TAXATION OF EXCHANGE GAIN OR LOSS ON BRANCH REMITTANCES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48457

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kenneth P. Christman
Phone: 202 622-3870**RIN:** 1545-AM12**2587. EARNINGS AND PROFITS OF CONTROLLED FOREIGN CORPORATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/25/90	55 FR 2535

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Margaret A. Hogan
Phone: 202 622-3850**RIN:** 1545-AM90**2588. CBI INVESTMENTS OF SECTION 936 FUNDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	05/13/91	56 FR 21963
Hearing	07/12/91	56 FR 21963

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** W. Edward Williams
Phone: 202 622-3880**RIN:** 1545-AM91**2589. SECTION 361 OUTBOUND TRANSFERS OF PROPERTY TO FOREIGN CORPORATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Aaron A. Farmer
Phone: 202 622-3860**RIN:** 1545-AM97

TREAS—IRS

Long-Term Actions

2590. RAILROAD UNEMPLOYMENT REPAYMENT TAX**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 31**Timetable:**

Action	Date	FR Cite
NPRM	05/13/93	58 FR 28374
NPRM Comment	07/12/93	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jean Marie Casey
Phone: 202 622-6060**RIN:** 1545-AN40**2591. CONSOLIDATED ALTERNATIVE MINIMUM TAX****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/30/92	57 FR 62251
NPRM Comment	03/01/93	
Period End		
Hearing	04/06/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Martin Scully
Phone: 202 622-4960**RIN:** 1545-AN73**2592. CONFORMING TAXABLE YEARS OF CFCS AND FPHCS: 1989 CHANGE****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/05/93	58 FR 290
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Carl M. Cooper
Phone: 202 622-3840**RIN:** 1545-AO22**2593. TAXATION OF GLOBAL TRADING****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
ANPRM	08/28/90	55 FR 35152
NPRM	03/06/98	63 FR 11177
NPRM Comment	06/04/98	
Period End		
Hearing	07/14/98	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kenneth P. Christman
Phone: 202 622-3870**RIN:** 1545-AP01**2594. INFORMATION REPORTING AND RECORD MAINTENANCE UNDER SECTION 6038C****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Garrett D. Gregory
Phone: 202 622-3870**RIN:** 1545-AP10**2595. CHARITABLE CONTRIBUTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	03/12/91	56 FR 10395
Hearing	08/01/91	56 FR 23823
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Teresa B. Hughes
Phone: 202 622-3850**RIN:** 1545-AP30**2596. GUIDANCE IN NOTICE 89-37, WHICH TREATS THE RECEIPT OF A CORPORATE PARTNER'S STOCK BY THE CORPORATE PARTNER AS A CIRCUMVENTION OF GENERAL UTILITIES REPEAL****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/15/92	57 FR 59324
NPRM Comment	01/20/93	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Lisa K. Leong
Phone: 202 622-7530**RIN:** 1545-AP52**2597. USE OF GAAP EARNINGS AS E&P OF FOREIGN CORPORATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	07/01/92	57 FR 29246
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Margaret A. Hogan
Phone: 202 622-3850**RIN:** 1545-AQ55**2598. THE TREATMENT OF ACCELERATED DEATH BENEFITS UNDER SECTIONS 101, 7702 AND 7702A OF THE INTERNAL REVENUE CODE****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/15/92	57 FR 59319
NPRM Comment	02/26/93	
Period End		
Hearing	03/19/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

TREAS—IRS

Long-Term Actions

Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Ann H. Logan
 Phone: 202 622-3970
RIN: 1545-AQ70

2599. INTEGRATED FINANCIAL TRANSACTION

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth P. Christman
 Phone: 202 622-3870

RIN: 1545-AR20

2600. SECTION 6048 REGULATIONS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karen Rennie Quarrie
 Phone: 202 622-3880

RIN: 1545-AR25

2601. APPLICATIONS OF SECTION 1503(D) TO PARTNERSHIPS AND OTHER ITEMS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth D. Allison
 Phone: 202 622-3860

RIN: 1545-AR26

2602. ALLOCATION OF ACCRUED BENEFITS BETWEEN EMPLOYER AND EMPLOYEE CONTRIBUTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/22/95	60 FR 66532
NPRM Comment	03/21/96	
Period End		
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Janet A. Laufer
 Phone: 202 622-6090
 Fax: 202 622-4084

RIN: 1545-AT82

2603. PROPOSED REGULATION UNDER SECTIONS 882 AND 884

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	03/08/96	61 FR 9377
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth P. Christman
 Phone: 202 622-3870

RIN: 1545-AT96

2604. APPLICATION OF GRANTOR TRUST RULES TO NONEXEMPT EMPLOYEES' TRUST

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	09/27/96	61 FR 50778
NPRM Comment	12/26/96	
Period End		
Hearing	01/15/97	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: M. Grace Fleeman
 Phone: 202 622-3880

Linda S.F. Marshall
 Phone: 202 622-6090

James A. Quinn
 Phone: 202 622-3060

RIN: 1545-AU29

2605. RECOMPUTATION OF LIFE INSURANCE RESERVES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/02/97	62 FR 71
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mark S. Smith
 Phone: 202 622-3970

RIN: 1545-AU49

2606. APPLICATION OF ATTRIBUTION RULES TO FOREIGN TRUSTS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: W. Edward Williams
 Phone: 202 622-3880

RIN: 1545-AU91

2607. DEFINITION OF "PRIVATE ACTIVITY BONDS" ALLOCATION AND ACCOUNTING REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/30/94	59 FR 67658
NPRM Comment	05/01/95	
Period End		
Next Action	Undetermined	

TREAS—IRS

Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bruce M. Serchuk

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AU98**2608. REQUIRED DISTRIBUTIONS FROM QUALIFIED PLANS AND INDIVIDUAL RETIREMENT PLANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/30/97	62 FR 67780

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Cathy A. Vohs

Phone: 202 622-6090

RIN: 1545-AV82**2609. FOREIGN TAX CREDIT ANTI-ABUSE REGULATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bethany Ingwalson

Phone: 202 622-3850

RIN: 1545-AV97**2610. SECTION 988—CONTINGENT DEBT INSTRUMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Milton M. Cahn

Phone: 202 622-3870

RIN: 1545-AW33**2611. SOURCE OF INCOME FROM CERTAIN SPACE AND OCEAN ACTIVITIES AND FOR COMMUNICATIONS INCOME****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3903
Hearing	05/23/01	66 FR 12916

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Edward R. Barret

Phone: 202 874-1490

RIN: 1545-AW50**2612. GUARANTEED INVESTMENT CONTRACTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	08/27/99	64 FR 46876

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rose M. Weber

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AX22**2613. DEFINITION OF PRIVATE ACTIVITY BOND—REFUNDING REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/30/94	59 FR 67658
NPRM Comment	05/01/95	

Period End

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bruce M. Serchuk

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AX55**2614. STOCK TRANSFER RULES: CARRYOVER OF EARNINGS AND TAXES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	11/15/00	65 FR 69138
Final Action	06/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bethany Ingwalson

Phone: 202 622-3850

RIN: 1545-AX65**2615. DEFINITION OF PASSIVE FOREIGN INVESTMENT COMPANY UNDER SECTION 1297****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Marc Korab

Phone: 202 622-3840

RIN: 1545-AX78**2616. HIPAA PORTABILITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 54**Timetable:**

Action	Date	FR Cite
NPRM	04/08/97	62 FR 16977
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No

TREAS—IRS

Long-Term Actions

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Russell Weinheimer
Phone: 202 622-6080

RIN: 1545–AX84

2617. CAPITALIZATION OF INTEREST AND CARRYING CHARGES PROPERLY ALLOCABLE TO STRADDLES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4746
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mary Truchly
Phone: 202 622-3960

RIN: 1545–AX92

2618. HEDGING TRANSACTIONS UNDER SECTION 1221(A)(7) AND SECTION 446

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 602

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4738
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Handler
Phone: 202 622-3940

RIN: 1545–AY02

2619. GUIDANCE UNDER SECTION 894

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	02/27/01	66 FR 12445
Hearing	06/26/01	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Karen Rennie Quarrie
Phone: 202 622-3880

RIN: 1545–AY13

2620. ACTIVE CONDUCT OF AN INSURANCE BUSINESS UNDER PFIC RULES

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Mark R. Pollard
Phone: 202 622-3860

RIN: 1545–AY20

2621. DISALLOWANCE OF DEDUCTIONS AND CREDITS FOR FAILURE TO FILE TIMELY RETURN

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/29/02	67 FR 4217
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Nina E. Chowhdry
Phone: 202 622-3880

RIN: 1545–AY26

2622. SECTION 367(D) REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Eliana D. Dolgoff
Phone: 202 622-3860

RIN: 1545–AY41

2623. SPECIAL RULES FOR S CORPORATIONS UNDER SECTION 301.7701(B)-7

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301; 26 CFR 601

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: David A. Juster
Phone: 202 622-3850

RIN: 1545–AY44

2624. REQUIRED DISTRIBUTIONS FROM RETIREMENT PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 54

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3928
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cathy A. Vohs
Phone: 202 622-6090

RIN: 1545–AY70

2625. OBLIGATION OF STATES AND POLITICAL SUBDIVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4754
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

TREAS—IRS

Long-Term Actions

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Rose M. Weber
Phone: 202 622-3980
Fax: 202 622-4437

RIN: 1545–AY71

2626. TREATMENT OF COMMUNITY INCOME FOR CERTAIN INDIVIDUALS NOT FILING JOINT RETURNS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/22/02	67 FR 2841
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robin M. Tuczak
Phone: 202 622-4940

RIN: 1545–AY83

2627. SECTION 1441 PROPOSED REGULATION (PROMULGATES NOTICES 2000-4 AND 2000-11)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Laurie M. Hatten-Boyd

Phone: 202 622-3840

RIN: 1545–AY92

2628. PROPOSED REGULATION FOR PROCUREMENT/PURCHASING CARD REPORTING

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Donna J. Welch
Phone: 202 622-4910
Fax: 202 927-9248

RIN: 1545–BA17

Department of the Treasury (TREAS) Internal Revenue Service (IRS)

Completed Actions

2629. EFFECT OF THE FAMILY AND MEDICAL LEAVE ACT ON THE OPERATION OF CAFETERIA PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8966	10/17/01	66 FR 52675

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Shoshanna Chaiton
Phone: 202 622-6080

RIN: 1545–AT47

2630. AVERAGING OF FARM INCOME

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8972	01/08/02	67 FR 817

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Amy J. Pfalzgraf
Phone: 202 622-7900

RIN: 1545–AW05

2631. ALLOCATION OF LOSS ON DISPOSITION OF PERSONAL PROPERTY

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8973	12/28/01	66 FR 67081

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: None

Agency Contact: David A. Juster
Phone: 202 622-3850

RIN: 1545–AW09

2632. PAYMENT OF TAXES BY CREDIT CARD AND DEBIT CARD

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8969	12/14/01	66 FR 740

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Brinton T. Warren
Phone: 202 622-4940

RIN: 1545–AW37

2633. CONVERSION TO THE EURO

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8927	01/11/01	66 FR 8927

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: John W. Rogers
Phone: 202 622-3870

RIN: 1545–AW43

TREAS—IRS

Completed Actions

2634. NOTICE AND OPPORTUNITY FOR HEARING BEFORE LEVY**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8980	01/18/02	67 FR 2549

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Jerome D. Sekula
Phone: 202 622-3610**RIN:** 1545-AW90**2635. NOTICE AND OPPORTUNITY FOR HEARING UPON FILING OF NOTICE OF LIEN****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8979	01/18/02	67 FR 2558

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Jerome D. Sekula
Phone: 202 622-3610**RIN:** 1545-AW91**2636. DOLLAR-VALUE LIFO REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8976	01/09/02	67 FR 1075

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Leo F. Nolan
Phone: 202 622-4970**RIN:** 1545-AX20**2637. CHECK THE BOX REGULATIONS—AMENDMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8970	12/17/01	66 FR 64911

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Beverly Katz
Phone: 202 622-3050**RIN:** 1545-AY16**2638. DISQUALIFIED PERSONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8982	02/01/02	67 FR 4907

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Brendan O'Hara
Phone: 202 622-7900**RIN:** 1545-AY19**2639. LIABILITIES ASSUMED IN CERTAIN CORPORATE TRANSACTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8964	09/27/01	66 FR 49278

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Douglas C. Bates
Phone: 202 622-7550**RIN:** 1545-AY55**2640. EXCISE TAXES ON EXCESS BENEFIT TRANSACTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 53; 26 CFR 301; 26 CFR 602**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8978	01/23/02	67 FR 3076

Regulatory Flexibility Analysis Required: Yes**Government Levels Affected:** None**Agency Contact:** Phyllis D. Haney
Phone: 202 622-4290**RIN:** 1545-AY65**2641. DISCLOSURE OF RETURNS AND RETURN INFORMATION BY OTHER AGENCIES (TEMPORARY)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8968	12/13/01	66 FR 64351

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Julie C. Schwartz
Phone: 202 622-4570**RIN:** 1545-AY78**2642. AMENDMENT TO THE DEFINITION OF PRIVATE BUSINESS USE APPLICABLE TO TAX-EXEMPT BONDS ISSUED BY STATE AND LOCAL GOVERNMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8967	11/20/01	66 FR 58061

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local**Agency Contact:** Michael P. Brewer
Phone: 202 622-3980**RIN:** 1545-AY88

TREAS—IRS

Completed Actions

2643. CERTAIN PROPERTY TRANSFER TO REGULATED INVESTMENT COMPANIES (RICS) AND REAL ESTATE INVESTMENT TRUSTS (REITS)**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
NPRM	01/02/02	67 FR 48
Final Action Completed by TD 8975	01/02/02	67 FR 8

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Lisa A. Fuller

Phone: 202 622-7750

RIN: 1545–BA21**2644. • WITHHOLDING AT TREATY RATE EXCEPTION FOR TAXPAYER IDENTIFYING NUMBER****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1441**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation will address the taxpayer identifying rule where taxpayer claims treaty rate and is entitled to an immediate payment.**Timetable:**

Action	Date	FR Cite
Final Action Completed by TD 8977	01/17/02	67 FR 2327

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-159079-01

Drafting attorney: Johathan A. Sambur (202) 622-3840

Reviewing attorney: Phyllis E. Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

Agency Contact: Jonathan A. Sambur, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington

Phone: 202 622-3840

RIN: 1545–BA39**2645. • DISALLOWANCE OF DEDUCTIONS AND CREDITS FOR FAILURE TO FILE TIMELY RETURN****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 882(c); 26 USC 874; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This document reviews and amends regulations concerning disallowance of deductions and credits claimed by foreign corporations and nonresident aliens for failure to timely file a U.S. income tax return in accordance with IRC sections 882(c) and 874(a).**Timetable:**

Action	Date	FR Cite
Final Action Completed by TD 8981	01/29/02	67 FR 4173

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107100-00

Drafting attorney: Nina E. Chowdhry (202) 622-3880

Reviewing attorney: W. Edward Williams (202) 622-3880

Treasury attorney: Dirk Suringa (202) 622-1779

CC:INTL

Agency Contact: Nina E. Chowdhry, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880**RIN:** 1545–BA40**2646. • SPECIAL FORM 720 FILING RULE FOR ELIGIBLE AIR CARRIERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6071**CFR Citation:** 26 CFR 40.6071(a)-3**Legal Deadline:** None**Abstract:** These regulations relate to the time for filing the quarterly return required under section 40.6011(a)-1(a)(2) for the third calendar quarter

2001 in the case of eligible air carriers reporting air transportation excise taxes.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8983	02/06/02	67 FR 5471

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-162288-01

Drafting attorney: Susan Athy (202) 622-3130

Reviewing attorney: Ruth Hoffman (202) 622-3130

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Susan Athy, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130**RIN:** 1545–BA42**2647. • PROPOSED AMENDMENT TO SECTION 6050I CROSS-REFERENCING SECTION 5331 OF TITLE 31****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6050I**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation amends the regulations to cross-reference section 5331 of title 31.**Timetable:**

Action	Date	FR Cite
Final Action Completed by TD 8974	12/31/01	66 FR 67687

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-166992-01

Drafting attorney: Tiffany P. Smith (202) 622-4910

Reviewing attorney: Pamela W. Fuller (202) 622-4910

Treasury attorney: Richard Carro (202) 622-1146

TREAS—IRS

Completed Actions

CC:P&A:APJP

Agency Contact: Tiffany P. Smith, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545–BA48

2648. • NEW MARKETS TAX CREDIT (TEMP)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 450**CFR Citation:** 26 CFR 1; 26 CFR 602**Legal Deadline:** None

Abstract: The temporary regulations will provide guidance to taxpayers claiming the new markets tax credit under section 45D.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8971	12/26/01	66 FR 66307

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-119436-01

Drafting attorney: Paul F. Handleman (202) 622-3040

Reviewing attorney: Susan Reaman (202) 622-3040

Treasury attorney: Steven Watson (202) 622-1322

CC:PS&I

Agency Contact: Paul F. Handleman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3040
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RIN: 1545–BA49

2649. • LOSS LIMITATION RULES (TEMP)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 337(d)**CFR Citation:** 26 CFR 1; 26 CFR 602**Legal Deadline:** None

Abstract: The regulations provide guidance on the treatment of certain losses recognized on sales of subsidiary

stock by members of a consolidated group under section 337(d) and section 1502 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8984	03/12/02	67 FR 11034

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-102740-02

Drafting attorney: Lola L. Johnson (202) 622-7550

Reviewing attorney: Sean P. Duffley (202) 622-7770

CC:CORP

Agency Contact: Lola L. Johnson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7550

RIN: 1545–BA51

BILLING CODE 4830–01–S

Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)

Prerule Stage

2650. CAPITAL RULES**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1835; 12 USC 1848; 12 USC 4808**CFR Citation:** 12 CFR 567**Legal Deadline:** None

Abstract: OTS has underway a number of regulatory amendments to its capital standards for savings associations. These amendments implement section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994 (CDRIA). CDRIA requires the Federal banking agencies to make their capital rules and other rules more uniform.

The agencies jointly issued a final rule that treats recourse obligations and direct credit substitutes consistently. The rule also adds new standards for the treatment of residual interests, including a concentration limit for

credit-enhancing interest only strips. In addition, the rule varies the risk-based capital requirement for positions in securitized asset transactions according to relative risk exposure.

The agencies issued an advance notice of proposed rulemaking developing a simplified capital adequacy framework for small, non-complex institutions. Based on this ANPRM, the agencies plan to issue a proposed rule modifying the capital adequacy framework for domestic institutions that are not subject to the Basel Accord. Also, the agencies may issue an ANPRM or proposed rule addressing the treatment of assets under management in asset securitizations. Finally, the agencies will shortly issue a final rule on risk-based capital standards for claims on securities firms.

Timetable:**Claims on Securities Firms**

NPRM 12/06/00 (65 FR 76180)
NPRM Comment Period End 01/22/01
Final Rule 04/09/02 (67 FR 16971)

Managed Assets

ANPRM 09/00/02

Modified Domestic Capital Framework (Simplified Capital Adequacy Framework for Small, Non-Complex Institutions)

ANPRM 11/03/00 (65 FR 66193)
ANPRM Comment Period End 02/01/01
NPRM 12/00/02

TREAS—OTS

Prerule Stage

Recourse Arrangements and Direct Credit Substitutes/Residuals in Securitizations

Recourse ANPRM 05/25/94 (59 FR 27116)
 Recourse NPRM 05/25/94 (59 FR 27116)
 Recourse NPRM 11/05/97 (62 FR 59944)
 Recourse NPRM Correction 11/20/97 (62 FR 62234)
 Recourse NPRM 03/08/00 (65 FR 12320)
 Recourse NPRM Comment Period End 06/07/00
 Residuals NPRM 09/27/00 (65 FR 57993)
 Residuals NPRM Comment Period End 12/26/00
 Recourse/Residuals Final Rule 11/29/01 (66 FR 59614)

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Michael D. Solomon, Senior Program Manager for Capital Policy, Supervision Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-5654

Teresa Scott, Counsel (Banking and Finance), Regulations and Legislation

Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-6478

David Riley, Project Manager for Capital Policy, Supervision Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-6669

RIN: 1550—AB11
Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)

Proposed Rule Stage

2651. MUTUAL SAVINGS ASSOCIATIONS, MUTUAL HOLDING COMPANY REORGANIZATIONS, AND CONVERSIONS
Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1462; 15 USC 78n; 15 USC 78w; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 2901; 15 USC 78c; 15 USC 78l; 15 USC 78m

CFR Citation: 12 CFR 563b; 12 CFR 575

Legal Deadline: None

Abstract: OTS issued an interim final rule: 1) amending its regulations governing repurchases of stock of insured savings associations following a conversion; 2) implementing changes regarding dividend waivers for mutual holding companies; and 3) incorporating changes resulting from the Gramm-Leach-Bliley Act.

OTS also issued a notice of proposed rulemaking that would implement a comprehensive strategy governing mutual institutions, mutual holding company reorganizations, and the mutual to stock conversion process.

OTS will publish a revised NPRM seeking comments on developing issues since the original NPRM.

Timetable:

Action	Date	FR Cite
NPRM	07/12/00	65 FR 43092
Interim Final Rule	07/12/00	65 FR 43088
NPRM Comment Period End	11/09/00	65 FR 60123
Interim Final Rule Comment Period End	11/09/00	65 FR 60095
Second NPRM	04/09/02	67 FR 17228

Action	Date	FR Cite
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Second NPRM
 Comment Period
 End

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Mary Jo Johnson, Project Manager, Supervision Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-5739

David A. Permut, Counsel (Banking and Finance), Business Transactions Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-7505

RIN: 1550—AB24**2652. FAIR CREDIT REPORTING****Priority:** Substantive, Nonsignificant

Legal Authority: 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828; ...

CFR Citation: 12 CFR 571

Legal Deadline: Final, Statutory, May 12, 2000.

Abstract: OTS and the other Federal banking agencies are developing regulations implementing provisions of the Fair Credit Reporting Act. Subject to certain conditions, these regulations would permit institutions to share "other information" with affiliates without becoming consumer reporting agencies (affiliate sharing). The

proposed regulations would specify that institutions must provide notice and an opportunity to opt-out to consumers before sharing "other information" with their affiliates.

The agencies have analyzed the comments received and are now in the process of developing a revised notice of proposed rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	10/20/00	65 FR 63120
NPRM Comment Period End	12/04/00	
NPRM Update	03/27/01	66 FR 16624
Second NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Cindy Baltierra, Program Analyst, Compliance Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-6540

Koko Ives, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-6661

RIN: 1550—AB33

TREAS—OTS

Proposed Rule Stage

2653. RECORDKEEPING AND CONFIRMATION REQUIREMENTS FOR SECURITIES TRANSACTIONS; FIDUCIARY POWERS OF SAVINGS ASSOCIATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462a; 12 USC 1463; 12 USC 1464**CFR Citation:** 12 CFR 550; 12 CFR 551**Legal Deadline:** None

Abstract: OTS plans to issue a proposed rule adopting new recordkeeping and confirmation requirements for securities transactions. This rule would afford thrift customers the same protections and disclosures as bank customers; ensure that OTS examiners will be able to evaluate a thrift's compliance with securities laws and to assess whether thrifts effect securities transactions safely and soundly; and provide savings associations with formal guidance for effecting securities transactions. OTS also will amend its regulations governing the fiduciary powers of Federal savings associations to codify recent OTS interpretive letters and make other changes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Timothy Leary, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
Phone: 202 906-7170

Judi McCormick, Trust Specialist, Supervision Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
Phone: 202 906-5636

RIN: 1550-AB49**2654. ALTERNATIVE MORTGAGE TRANSACTION PARITY ACT; PREEMPTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; ...**CFR Citation:** 12 CFR 560**Legal Deadline:** None

Abstract: OTS is reviewing its lending regulations affecting residential

mortgage lending, including rules implementing the Alternative Mortgage Transaction Parity Act.

Timetable:

Action	Date	FR Cite
NPRM	04/25/02	67 FR 20468
NPRM Comment Period End	06/24/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Theresa A. Stark, Project Manager, Compliance Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
Phone: 202 906-7054

Karen Osterloh, Assistant Chief Counsel, Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
Phone: 202 906-6639

RIN: 1550-AB51
Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)

Final Rule Stage

2655. CAPITAL: QUALIFYING MORTGAGE LOAN, INTEREST RATE RISK COMPONENT, AND MISCELLANEOUS CHANGES**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; ...**CFR Citation:** 12 CFR 567**Legal Deadline:** None

Abstract: OTS will issue a rule finalizing its NPRM making miscellaneous changes to its capital regulations. The changes would eliminate unnecessary capital burdens and align OTS capital regulations more

closely to those of the other banking agencies.

Timetable:

Action	Date	FR Cite
NPRM	03/15/01	66 FR 15049
NPRM Comment Period End	05/14/01	
Final Rule	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Teresa Scott, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision,

1700 G Street NW., Washington, DC 20552
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RIN: 1550-AB45

Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)
Long-Term Actions**2656. DIRECTORS AND OFFICERS****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 545; 12 CFR 563**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis
Required: No**Government Levels Affected:** None**Agency Contact:** Robyn Dennis
Phone: 202 906-5751Sally Watts
Phone: 202 906-7380David A. Permut
Phone: 202 906-7505
RIN: 1550-AB19**2657. COMMUNITY REINVESTMENT ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 563e**Timetable:**

Action	Date	FR Cite
Joint ANPRM	07/19/01	66 FR 37602
Joint ANPRM Comment Period End	10/17/01	
Joint NPRM	To Be	Determined

Regulatory Flexibility Analysis
Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Richard Bennett
Phone: 202 906-7409Theresa A. Stark
Phone: 202 906-7054Celeste Anderson
Phone: 202 906-7990**RIN:** 1550-AB48
Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)
Completed Actions**2658. LENDING AND INVESTMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 559; 12 CFR 560**Completed:**

Reason	Date	FR Cite
NPRM	11/01/01	66 FR 55131
Final Rule	12/21/01	66 FR 65822

Regulatory Flexibility Analysis
Required: No**Government Levels Affected:** State**Agency Contact:** William J. Magrini
Phone: 202 906-5744

Karen Osterloh

Phone: 202 906-6639

RIN: 1550-AB37**BILLING CODE 6720-01-S**

[FR Doc. 02-10529 Filed 05-10-02; 8:45 am]